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## Senate

The Senate met at 12 noon and was called to order by the Honorable MICHAEL B. ENZI, a Senator from the State of Wyoming.

### PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Let us pray.  
Gracious God, Sovereign of this Nation and Lord of our lives, You have blessed us to be a vital part of Your blessing to others. As we return from recess, we commit ourselves to be sensitive to the needs of others around us. Show us the people who particularly need encouragement or affirmation. Give us exactly what we should say to uplift them. Free us of preoccupation with ourselves and our own needs. Help us to remember that people will care about what we know when they know that we care about them. May our countenance, words, and actions communicate our caring. Make us good listeners and enable us to hear what people are expressing beneath what they are saying. Most of all, remind us of the power of intercessory prayer. May we claim Your best for people as we pray for them. Especially we pray for those with whom we disagree on issues. Help us to see them not as enemies but as people who will help sharpen our edge. Lift us above petty attitudes and petulant gossip. And fill this Chamber with Your presence and our hearts with Your magnanimous attitude toward others. For You are our Lord and Saviour. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable MICHAEL B. ENZI led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication

to the Senate from the President pro tempore (Mr. THURMOND).

The legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, June 5, 2001.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MICHAEL B. ENZI, a Senator from the State of Wyoming, to perform the duties of the Chair.

STROM THURMOND,  
President pro tempore.

Mr. ENZI thereupon assumed the chair as Acting President pro tempore.

### RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader.

### SCHEDULE

Mr. LOTT. Mr. President, the Senate will be in a period of morning business just for 30 minutes or so now. Then we will recess for the weekly policy lunches to meet. When the Senate reconvenes at 2:15, the education bill will be the pending business. There are a number of pending amendments of significant import. I am sure there will be debate and, hopefully, at least a couple of votes this afternoon, and that we will be able to continue tomorrow, and as long as it takes, to get this very important education reform package completed.

We still have some 300 amendments pending. I would assume that 30 or 40 of those would have to be considered in some form and voted on, maybe even more. So I hope we can make progress on this important legislation today and get an agreement to proceed with it later on this week, no matter what the circumstances may be. We will clarify that schedule later on today or first thing in the morning.

I thank my colleagues for their cooperation.

Mr. President, I yield the floor.

### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

### MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business not to extend beyond the hour of 12:30 p.m., with Senators permitted to speak therein for not to exceed 10 minutes each.

The Senator from Arizona.

### THE ENERGY CRISIS

Mr. KYL. Mr. President, it is likely that soon the Senate will undergo a historic change in leadership. I am concerned about some news reports that the new Democratic leadership may not proceed forthwith to the consideration of an energy bill that the administration very much would like to see us consider. It is my understanding that, at least from news reports, there are some other priorities the new Democratic leadership will probably pursue.

I just want to make it as clear as I can I think we should, as soon as possible, consider the legislative recommendations of President Bush and Vice President CHENEY to deal with this most serious crisis. In fact, I think we saw this past weekend that the President thought it was important enough to travel to California to visit with Governor Davis, who has certainly expressed his views on the importance of the issues facing his State. And his is not the only State that has faced this energy crisis.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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There are a couple of statistics worth noting in this regard. Our energy demands are growing very rapidly while our production side is relatively stagnant. Oil consumption, for example, will grow by over 6 million barrels per day over the next 20 years, but oil production is expected to decline by 1.5 million barrels per day. Natural gas consumption will grow by over 50 percent over the next 20 years, but production will only grow by 14 percent. And electricity demand, which is especially of concern on the west coast and in my region of the country, will rise by 45 percent over the next 20 years. This will require 1,300 to 1,900 new power plants. So we have a big job ahead of us. I think we need to get on with some of the solutions as soon as possible.

There has been some criticism that the President's recommendations are primarily longer term solutions. We will make them even longer term the longer we take to get to them. We will have shorter range solutions the quicker we get to the legislation that is required.

I note that many of the recommendations from the commission the Vice President headed are recommendations that can be effectuated by the administration itself. Twelve can be implemented by Executive action; seventy-three are directives to Federal agencies. For example, the President has already directed Federal entities to reduce consumption by 10 percent, including the military. But there are some 20 recommendations for action by the Congress. These are among the things on which we need to get moving:

The plan of the President to modernize and increase conservation, to diversify energy supply, and modify and expand the infrastructure through which those sources of energy are delivered to the American people, and to strengthen our energy security. This is the core of the set of recommendations.

Without getting into all of the details, because I only have 5 minutes this morning, let me just say that one of the things that has been proposed is price caps. Price caps, as the President and Vice President have said, are exactly the wrong thing to do. Price caps would keep demand increasing and do nothing to enhance supply. In fact, it would tend to keep supply down because there is nothing for the investor to look forward to if there is a price cap on how much can be charged for the energy that is being produced. And, of course, there is no incentive to conserve if there is a price cap. If prices, on the other hand, are allowed to rise, as they do with gasoline, then people will be more careful about how much they use.

We have seen news reports of people cutting back a little bit on the driving they intend to do this summer. Why? Because there are no price caps on the price of gasoline. People understand that to save money they are going to have to drive less; they are going to have to conserve.

So I do not understand why, on the one hand, we have this drumbeat of comment that we have to conserve our way out of this problem—certainly conservation is an element but not the sole element—and yet, on the other hand, to put in place price caps, which would have exactly the opposite incentive—for people not to conserve but to go ahead and continue to use those electricity supplies. So I think price caps are not the answer. There are other elements of the bill that are.

Finally, a point about some of the criticism of the Vice President and the President. I hope our colleagues will not join in this kind of demagoguery that we have seen from outside the Senate. It is true that both the President and the Vice President have been in the business of producing petroleum products. I do not know why we would be critical of people who know something about the solution coming up with some good ideas. They are, after all, our top two elected leaders. They know something about the problem and its solutions, and neither of them can any longer directly benefit.

So I think this criticism that they know something about the problem and therefore they should not be involved in the solution is very misdirected.

I hope we can focus on solutions rather than ad hominem attacks. After all, there are two kinds of people in the United States: There are producers and consumers. Almost all of us are consumers, and we should be grateful for those who are the producers because they are the ones who make it possible for us to enjoy our great standard of living. They would not be producing if we did not provide the demand for that production. It is the consumers of the country who, in effect, are creating the opportunity for these people to do the demanding.

Some of these critics remind me of kids who think that food comes from the refrigerator or the grocery store.

Obviously, they are unaware of all the work the farmers and the people in between the farmers and the grocery store put in to make those food supplies available. We should not be talking in terms of criticizing the people who are coming up with the solutions simply because they happen to know something about it. I suggest that the new leadership of the Senate, as soon as they possibly can, bring the legislation forward in whatever form because we will all have an opportunity to propose amendments if we don't like its original form.

This is very near a crisis; if it is not a crisis. We have to get on with the solutions. The administration has led the way by its executive directives. It has done all it can do. Now it is time for the Congress to respond. I urge the new leadership of the Senate to join with the administration in a bipartisan effort to begin to consider the solution to our energy problem.

The ACTING PRESIDING pro tempore. The Senator from Nevada.

Mr. REID. Mr. President, I say to my friend, the junior Senator from Arizona, I don't know where he heard that the new Democratic leadership was not going to move forward on energy. We are most happy to move forward on energy.

There are all kinds of problems, as the Senator knows. The President has an energy program he has put forward. There are not many specifics with it, but we should move forward and pass those issues on which we agree. Those issues on which we disagree, we can debate and vote up or down.

The Senator has said what we believe is important. We have to start approaching some of these problems in a bipartisan fashion. We hope that can be done on energy.

There is no question that there is a lot of dialog about energy and, of course, there are all kinds of things being said, such as "the GOP, gas, oil and plutonium." I don't think that gets us anywhere.

There has been a lot of bad news from California, but today there was some good news. The good news is that in California they have already found a way to conserve up to 11 percent of the electricity that they were using. That is significant.

When Vice President CHENEY said that conservation was a good personal habit but it wouldn't do anything to solve the energy crisis, I don't think he really believes that. It may not have come out the way he wanted it. We know there has to be conservation along with anything we do to stimulate production.

One of the criticisms I have—and I think it is a valid criticism—with this administration, I serve on the Energy and Water Development Subcommittee of the Committee on Appropriations. We found in the budget the President gave us, there is almost a 40-percent cut in research and development for renewables. That is something we need to change. We can do that.

In those States in the West—the Senator from Arizona has a State quite similar to Nevada—there are a lot of things that can be done—again, not in the short term bit in the long term—dealing with solar, dealing with wind, and, in the case of Nevada, with geothermal. These are some of the things on which we need to work. Most importantly, we have to work together on this problem.

Senator DORGAN and I have sponsored legislation—in fact, there is an amendment on the education bill, and we also have freestanding legislation—that would cause a joint committee of the House and Senate to be appointed to determine why prices have gone up. Maybe there is a good reason they have gone up. I don't think we should have a witch-hunt. I think it should be an investigation conducted with dignity so the American people could at least say, after we finish, we have done everything we can to find out why the prices are so high.

For example, the Senator and I remember when the price of fuel was so high in the early 1970s. You went to gas stations then and there was no gas. You would wait in line. You would get to the pump and there would be no gas to buy. We don't have that problem now. It doesn't appear to be a problem of supply. Then why are the prices so high?

I hope the Senator from Arizona will look at the legislation the Senator from North Dakota and I are sponsoring dealing with why are the prices so high.

In short, there has certainly been nothing said by any part of the Democratic leadership in the Senate that we were not going to take a look at energy. It is an issue we need to address; we need to do it as soon as we can; and we need to do it in a bipartisan fashion.

Mr. KYL. Mr. President, will the Senator yield for a quick comment?

Mr. REID. I am happy to yield.

Mr. KYL. I appreciate the comments of the Senator. I look forward to working with him in a bipartisan fashion.

I had heard the comments that the Republican leadership was going to take the energy bill up right after the education bill. My understanding is the Democratic leadership intends to take that up at a subsequent date. I think the Patients' Bill of Rights may be the next item taken up. That was the nature of my concern.

As soon as possible, I hope it will be considered. I certainly look forward to working with the Senator from Nevada to find solutions to the problem.

I thank the Senator.

The ACTING PRESIDING pro tempore. The Chair recognizes the Senator from Illinois.

Mr. DURBIN. Mr. President, I seek recognition in morning business to follow up on the issue raised by the Senator from Nevada. I can't think of a bigger issue in terms of the people I represent in the State of Illinois.

A lot of families in Illinois who rely on natural gas to heat their homes saw dramatic increases in their heating bills this past winter. Families of very modest means who budgeted very carefully found their heating bills for last winter were \$1,000 to \$1,500 higher than they had been in the previous year. Very little explanation was forthcoming. A lot of families just had no choice. They turned down the thermostat and the bills still went through the roof.

I ran into a lady who was a domestic housekeeper in a hotel. She worked nights for her family. She said to me that she had budgeted the same amount as last year to heat her home in Chicago. She ended up \$1,000 in debt when it was all over. She is determined to pay off that debt. She is a very hard working person and takes her debts seriously. When you think about that, you just wonder, is this inevitable? Is this the market at work, where we have such wide variations?

I have read a lot—I am sure the Senator from Nevada has as well—about

the energy problem in the West—California and other States—where they have seen dramatic increases in utility bills, electric bills.

The other issue the Senator from Nevada alluded to touches close to home in the Midwest. Last year we had this terrific increase in the price of gasoline. It seemed the Easter holiday was the kickoff for a runup in record-level gasoline prices. Last year we asked the oil companies what happened. Why did you do this? They said: We had this change. We had this reformulated gas to reduce air pollution, and it caught us by surprise. We were not ready for it.

It was kind of hard to understand because it had been more than 8 or 10 years they knew this was coming. They weren't prepared for it. They said: We had pipeline breakdowns, refinery problems. They said: We are sorry that it happened.

It went on for about 6 or 8 weeks. People were paying over \$2 a gallon for gasoline primarily in the upper Midwest but in St. Louis as well. Then the price started coming back down.

Lo and behold, this year exactly the same thing occurred. At Easter it was as though there was another starter's gun, and gasoline prices went through the roof again.

What is odd about it is that the oil companies are seeing no dramatic increase in the price of crude oil. The defenders of the oil companies tell us this is just the market at work. But if you take a look at some of the elements in that market, you can raise some serious questions.

For example, if the price of crude oil is not going up, why is the price of gasoline going up dramatically? Secondly, if this is just a reflection of some problems within the industry, why is it that the oil companies are now experiencing the highest profits in current memory? This is one of the few businesses in the world where you can guess wrong about consumer demand and make more profit. That seems to be what is happening to us in the Midwest.

I am encouraged by the announcement of our colleague, Senator LEVIN of Michigan, who has said that once the leadership change takes place in the Senate, as chairman of the Permanent Subcommittee on Investigations of the Committee on Government Affairs, he would hold a hearing and ask, once and for all, what is behind this; why are families and small businesses faced with these high energy costs that seem to spike out of control, whether it is for the heating bill in your home or for the gasoline in your car? What is it about this market mechanism that you see all the stations in your city in lockstep going up in gasoline prices and coming down, trickling down ever so slowly in that same fashion? This does not sound like competition to me; it sounds like something else is going on.

We have been unable in the last few weeks, despite these energy increases,

to really convince the White House or the Republican-controlled Congress to look into this issue, to investigate it. But if we do not do this in Congress, who will?

Fortunately, Senator LEVIN of Michigan has announced he is going to move forward with a series of investigations as soon as the leadership in the Senate changes. This concern about energy and its future has to take into account problems that families and businesses are facing today.

It is true, we have medium- and long-term energy challenges. There are many issues we need to consider but, honestly, shouldn't we try to address the current problems that people are facing and try to find some relief? Senator LEVIN's call for this hearing is one I support; it is one in which I have joined with Senator DORGAN from North Dakota and others in asking for previously. I hope we can move forward on this matter.

Mr. REID. Will the Senator yield for a question?

Mr. DURBIN. I will be happy to yield.

Mr. REID. I also support Senator LEVIN. Not only will he be chairman of that subcommittee but chairman of the Armed Services Committee. The Armed Services Committee has jurisdiction to find out why oil prices are going up so high anyway because the armed services are some of the world's biggest consumers of oil products.

I said to the junior Senator from Arizona, in the seventies we had long lines, and sometimes one got to the gas pump and there was no gas. There was a shortage of supply. That is not the case now. That is why the Senator from North Dakota and I have called for a joint investigation by the Congress to find out why these prices are priced the way they are. The Senator from Illinois has gone through a number of problems that simply do not make sense.

The Senator has already said what the Senator from Michigan is doing on his subcommittee, and it is important. But does the Senator think this is one of the most important issues to face the American public this decade or last decade or any decade and that a joint investigation is warranted?

Mr. DURBIN. I certainly do. And I thank the Senator from Nevada for his leadership. I was happy to join him on this legislation. What really frustrated many of us was the fact that Congress was unwilling to even look at the issue.

It is something to go back home, whether the home State is Illinois or Nevada, and find people who are telling you real-life stories, tragedies of businesses that have had to cut back in the number of employees and the work they are doing, because of the cost of energy.

I am from a farming State. Illinois, of course, is proud of the fact that it produces so much corn, soybeans, wheat, pork, and beef, but the farmers with whom I have talked face the same thing. It is not just the cost of operating their businesses on the farm but

the cost of fertilizer. All of this is directly linked to the cost of energy.

We can explore and debate future energy policy, but we have to be very honest in dealing with the reality of the challenge facing families today. That is why I am hoping—and I hope the Senator from Nevada agrees with me—that there can be an agreement very soon between the Democrats and Republicans to reorganize this Senate and to move forward.

There are so many issues of importance to this Nation that need to be addressed and addressed quickly. We have before us the whole issue of education. This bill was pending in the Senate before we took up the tax bill, and we will return to it. The sooner the Senate gets organized, the sooner we are in business under the new leadership of the majority leader, TOM DASCHLE, the sooner we can return to issues of education.

There has also been talk about issues involving a Patients' Bill of Rights. That is something which I have supported. It means when your doctor makes a decision for you and your good health, it will not be overruled by an insurance company. That seems pretty basic to me, but we need to pass legislation to make sure the health insurance companies and the HMOs do not go too far and make these medical decisions.

Energy is another issue. We want to work with the President and the White House. We should go to that issue. We should work on it. There are some important issues to be resolved. One of them is whether or not we should drill in Arctic National Wildlife Refuge. This is a piece of real estate in Alaska that is owned by the American people and which has been set aside to be maintained as a wilderness.

There are not many places on Earth that are set aside and maintained as a wilderness. Many of us think, particularly in this fragile ecosystem in Alaska, with the wildlife that is there—some of it is very rare, with species that are not found in other places—that for us to invade that territory to be drilling for oil and gas is to run the risk that we might disturb that balance, and, once having done that, we may face consequences which we cannot repair. The best of intentions of the Congress and the President notwithstanding, Mother Nature and God have decided how certain things will exist.

If we want to bring in the trucks and the pipelines and start drilling away for oil and gas, we should stop and ask the hard question: Is this really our best alternative to find fuel for America's future?

The Arctic National Wildlife Refuge, it is estimated, has 180 days' worth of energy for the United States. Mr. President, 180 days is, of course, almost 6 months, but that represents energy that is taken out of Alaska over a 10-year period. It means a very small part of our energy picture.

Even with drilling in this wilderness and running the risk of disturbing this ecosystem forever, we are still going to find ourselves dependent more than 50 percent on foreign oil and energy to sustain the United States. Many of us think that before we start drilling in wilderness areas such as the Arctic National Wildlife Refuge, we should explore alternatives, including conservation.

I see another Senator on the floor. I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator's time has expired.

The Senator from Wyoming.

#### SENATE AGENDA

Mr. THOMAS. Mr. President, I want to talk about the direction the Senate has been taking. Certainly, we have many things to do. We have moved through a number of important issues—the budget and meaningful tax relief. We now move to education and energy.

I have to respond to the comments of the Senator from Illinois on energy and suggest this energy crisis did not just happen in the last 5 months. It is interesting to note that for the past 8 years we have not had an energy policy. We have let ourselves get into a position where we are totally dependent on OPEC and foreign production, and it has put us in this position.

It is also interesting to note that it may not always be a shortage of oil but that refining may have something to do with it. We have not built any new refineries over the last number of years, and the idea of accusing someone of causing the problem—we need to take a look at it.

We have many things to do, there is no question, but we need to deal with domestic production and we need to deal with the transportation of energy. We in Wyoming could produce energy for California if we had a way to get it there. We need refineries to refine gasoline. We need to get away from having to develop 15 types of gasoline. It is easy to get away from the facts and get off into blaming somebody for this behavior.

The Senate needs to move on to education. It has been on this issue for quite a long time. It has not moved. We have had a certain amount of obstruction. When there are still 300 amendments, it is a little hard to talk about wanting to move forward, but perhaps we will be able to do that.

I hope when we do, we take a long look at where we want to be in education. Too often, we get so involved with little issues that are either political or they have to do with one minute thing. The fact is, we do not have a clear vision of what the role of the Federal Government is in education, and we need to define that role.

In elementary and secondary education, the Federal Government provides about 7 percent of the funding. Why should they also provide all the rules and regulations that go with it?

That has been the position many have taken: If we are going to give them any money, then we have to tell them how to do it.

One of the arguments, of course, is how do we help support education, have a policy on education, but allow the differences that exist in the local education facilities.

What is needed in Chugwater, WY, is different from what is needed in Pittsburgh, PA. We have to allow flexibility for local school boards and States.

I hope to take a look at where we want to be and have a vision of where we are going. Of course, we want high-quality education. We want accountability for education. We have to have quality teachers. We need to have choices for families, whether it is charter schools or schools of choice as we have in my hometown. The public schools have a different approach to it. Parents can decide where they want to send their children. These are the items about which we have to have a vision instead of coming out every day and wrestling over something that has very little impact. Where do we want to be 10 years from now or 15 years from now with regard to education.

Our hope as we change leadership—and that is not the end of the world—is that we move to govern and we move to do the things for the American people that we want to see happen over time: Where do we want to be and what is our role in getting there, that we can measure; high standards; we have to have funding that works; increased flexibility for local control; provide options for students. Those ought to be our goals. We should state how we will get there.

I yield the floor.

#### RECESS

The ACTING PRESIDENT pro tempore. Under the previous order, the hour of 12:30 having arrived, the Senate will now stand in recess until the hour of 2:15 p.m.

Thereupon, the Senate, at 12:31 p.m., recessed until 2:16 p.m. and reassembled when called to order by the Presiding Officer (Mr. INHOFE).

Mr. WELLSTONE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that the Senate be in a period of morning business until 3 p.m., with Senators speaking for up to 10 minutes each, and that the time be equally divided in the usual form.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CARPER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CARPER. Mr. President, I ask unanimous consent to speak for 10 minutes in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CARPER. Thank you, Mr. President.

#### PUBLIC EDUCATION

Mr. CARPER. Mr. President, sometime later this afternoon we will take up legislation on which we have been working for the better part of the last month; that is, to define as best we can the role of the Federal Government with respect to public education in this country.

There are a number of points about which Democrats and Republicans or independents disagree. There are also a number of areas around which we can rally and around which we can agree. I want to take just a moment to address some of those points.

In this country, the role of the Federal Government for the last 30 or 36 years has been really to level the playing field for young people from especially disadvantaged backgrounds to make sure they have an opportunity to be successful when they walk into kindergarten at the age of 5. We do that through programs that provide nutritional support for children; programs to try to ensure that healthy babies are born; to try to ensure that children who can benefit from Head Start have a chance to be in that prekindergarten program; to try to ensure that children in the elementary years and beyond have the opportunity to get extra help in reading, if they need it; if they need extra help in mathematics, they will get that assistance, too; to try to ensure that we recruit some of the best and brightest young people to be our teachers; and to better ensure that not only do those teachers go to the wealthiest school districts in our country but they go to those districts in which the need is the greatest.

The Federal Government has for almost four decades sought to ensure that all children who enter our schools, whether they are in Delaware or the other 49 States, have a real chance to be successful.

There are 49 States in America today which have established rigorous academic standards, spelling out clearly what they expect students to know and be able to do. More than half the States today offer or require many of their students to take tests to measure the progress of those students towards their State's academic standards in

math, science, English, social studies, or a variety of other subjects. Almost half the States in America today have worked to put into place accountability systems. By that, we simply mean consequences for students who do well or do not do well; for schools that do well or do not do well; for educators who do well or who do not do well.

I think we agree here in our Nation's Capital between the Congress, across the aisle, and with the President that there is an important role for the Federal Government to play.

We agree that it is important for the Federal Government to infuse more resources into our schools. We agree that it is appropriate that those schools adopt rigorous academic standards—not standards we set in Washington but standards adopted in the 50 States—in core academic subjects such as math, science, English, and social studies.

We agree, first of all, on the idea of more resources. Some would have enormous resources and others more modest. We agree on the premise that more resources need to be invested.

Second, we agree on the need to invest those resources with more flexibility for the States, with greater flexibility for school districts and the schools.

This past week, during the recess, I was in several schools in Delaware. I will mention one of them, a little elementary school in the town of Seaford, DE, in the southwestern part of our State, roughly 100 miles from here—not even that as the crow flies.

In meeting with the school principal and a number of the teachers, they have a host coordinator who helps students succeed. That is a person who coordinates the efforts of 50 mentors in that school. That is a person who is there as a paid staff member from the Delaware department of—we call it the kids department. It is the department that represents families and provides services to families.

One of the things I heard in that visit is something I want to share with my colleagues today. This school takes money, raised by local school property taxes—they are local funds, and they receive State money and Federal money—and what they are about is trying to raise student achievement so that all the kids in that school will be able to read at grade level, write at grade level, do math at grade level, do science at grade level, or do better than that.

I was struck when I heard how West Seaford Elementary is using extra time/money to be able to provide the resources and the help that kids need to read better or do math better. I was struck how they are using title I money with some of the flexibility legislation that this body gave them under the education flexibility legislation adopted roughly 2 years ago.

I was struck to hear how the State's State employee from the kids department works at that school every day as the go-between for the school and a

family or families in crisis. This is a family crisis therapist who knows the social service network and knows how to take a family and a child who is hurting and get them the help they need.

The point I am trying to make is this—I have taken a long time to make it. When we set rigorous academic standards for schools—when we say to them: We expect you and your kids to reach those standards; we are going to give you more money—when we give them that money with more flexibility, we have a right to demand results. The States have a right to demand results. The school boards and the parents have a right to demand results.

So what we have is a trilogy, if you will. There are more resources targeted to where they are needed, in programs that work. The money is given more flexibly to school districts which are empowered to use that money more flexibly, with literally teams of teachers, administrators, and parents deciding: Do we need another school counselor or do we need another reading specialist? Do we need to put a paraprofessional in a classroom, or a number of them? Or do we need to hire more teachers? Do we need to have a coordinator for a mentoring program or do we need to put that money into hiring a new science teacher?

Those are the kinds of decisions where I think, more often than not, schools will make the right decision. We have to give them that flexibility.

The fourth point on which I think we agree is that we should empower parents to have greater decisionmaking authority in the education of their children. There has been a lot of debate in this Chamber this year and in past years that part of what we ought to do is to give a voucher. They can take that voucher and send their children to a public, private, or parochial school. We are not going to do that this year. I understand it is being done on a limited demonstration basis, and it ought to continue in those places. There are other ways to empower parents to make choices for their children and they involve public schools. I want to mention two of them today.

One of those is public school choice. The other is the establishment of charter schools. I will start with the charter schools first. Charter schools are public schools. Charter schools are not private schools. They are not parochial schools. Charter schools are public schools. They are public schools in my State and in 35 or so other States, where the faculty, the administration, and the parents have been uniquely empowered to harness the energy of that education staff, to harness the energy and creativity of the parents, the administrators, and the community, to raise the level of achievement for the students.

They are given, in some cases, less money, at least for brick and mortar costs for their schools, than our other traditional public schools. In many

States they are given roughly the same amount of money to educate each child, at least in operating funds, as other public schools enjoy. But some amazing things have happened in charter schools in my State. One of them has failed and was closed after 1 year. The rest have not.

One of the schools, the charter school in Wilmington—the first charter school created with partnerships with a number of our major companies—has had the best high school results on the Delaware State tests of all 29 public high schools in our State for the last 2 or 3 years in a row.

We measure student progress in reading, writing, and math. If you look at the percentage of students at the Wilmington charter school who have a disadvantaged background, who are eligible for free or reduced-price lunch, it is under 20 percent, maybe even under 10 percent. It is a relatively middle-class, upper middle-class school. It attracts students from throughout northern Delaware.

There is another charter school in Wilmington, DE, in the middle of the projects called the East Side Charter School. The East Side Charter School does not have a 10 or 15 or 20 percent rate of poverty. Eighty-three percent of the students there are there on free or reduced-price lunches. It has the highest level of poverty of any school in our State. Yet the students who go to that school come early and they stay late. My sons will be finishing up their schooling this school year this coming Friday, June 8, a day to celebrate in our household.

Over at the East Side Charter School they do not finish on June 8. They do not finish on June 18 or June 28. They will be going well into July. Kids going to East Side Charter School not only start early and go late but they have a longer school year. They also wear school uniforms. The children's parents are asked to sign something like a contract of mutual responsibility where they agree to be part of their child's education, to give something back in terms of parental voluntarism at that school during the course of the year. The teachers and the administrators are freed up to be creative and innovative in ways that sometimes do not occur in some of our traditional public schools. They work in teams in ways that do not always happen in other schools, public or private.

Last year, when the State of Delaware gave its annual Delaware State math tests—we test kids in almost 200 public schools; testing them in reading, writing, and math—there was one public school in Delaware in which every child tested in math met or exceeded the State's standards in mathematics. It was the East Side Charter School.

If, in the East Side Charter School, with the highest incidence of poverty in my little State, every child can meet or exceed our State's standards in math, we can educate every child in this country to meet their State's

standards in math or reading or writing or other subjects.

We have to be smart enough to invest the resources; we have to be smart enough to make sure that schools have the flexibility to use those resources; we have to demand results; and we have to empower parents and teachers to be creative and innovative. Not every parent in our State chooses for their child to go to a charter school. The number of charter schools is growing and is playing an important role in our State.

Unfortunately, I would like to say, the charter schools in Delaware, and most other States, don't get the kind of capital support for brick and mortar for building a charter school or upgrading a charter school or renovating a charter school that inures to students in regular public schools. That is not the case. For those who have wanted to start a charter school in my State and in most States, they have to go out and borrow money, sometimes from a bank. Unlike a traditional public school which borrows money, the interest is tax free, which lowers the interest cost for those traditional public schools, when a charter school goes out and borrows money for its school, the interest on that loan is not tax free. The interest on that loan is taxable. The interest rate is higher.

The State of Delaware issues bonds from time to time. We issue bonds not just for capital projects for the State, for roads and prisons and health facilities and other things, parks, but we also issue tax-exempt bonds to help raise the money for our public schools.

The State of Delaware provides anywhere from 60 to 80 percent of the capital costs for building and renovating schools in my State. When a charter school wants to go out and raise the money for its brick and mortar needs, the State of Delaware doesn't issue bonds. It does not pay 60 percent or 80 percent or even 6 percent of the capital costs for the charter schools. The same is true in almost every other State where there is a charter school.

Later during the course of the debate—not today but later this or next week—Senator JUD GREGG of New Hampshire and I will offer an amendment that says, given the kinds of results we are seeing in charter schools in our States and other places, maybe there is an appropriate role for the Federal Government in leveling the playing field a little bit for capital costs for charter schools.

The other topic I want to discuss is public school choice. We introduced, statewide in Delaware, public school choice 4 or 5 years ago. Today any parent can elect to send their child to a public school not on their feeder pattern. We choose the public schools that our two sons attend in Delaware. Other States are moving to public school choice as well.

In S. 1, the legislation we will be taking up in a few minutes, there are real consequences for schools that fail to

make significant improvement for all kinds of students: rich, poor, male, female, disabled, nondisabled. We expect real improvement, real progress toward the academic standards those States have adopted. For States where a school fails for 4 years in a row to make real progress toward their academic standards, there are consequences which include providing real public school choice with transportation for those children in that failing school, allowing that school to be turned into a charter school, turning that school over to the private sector or the State has to take over the operation of the school. Yet we don't provide anywhere in our legislation help to the States, advice or assistance, technical assistance or otherwise, on how, if you have never had an experience with public school choice, you all of a sudden put in place a public school choice system in your State. Or if you have never started charter schools or your charter schools are struggling to get started, how do you help them get up and running so they can mirror the success stories I have talked about here today in Delaware?

Again, Senator GREGG and I will be offering an amendment later in the debate which would provide some help to States that haven't been thinking about public school choice but are going to have to under the legislation we are going to adopt and States that, frankly, haven't given any help on the brick and mortar capital side to charter schools. My State is as guilty as others that need to start doing that, particularly if we want to invest our money in what works.

I will close with this: There are a lot of important issues we will consider, whether the Republicans are in the majority or the Democrats. The most important thing we are endeavoring to do in this country today is to raise the level of achievement of our students. Those kids in our schools will some day in many cases go on to college. In most cases they will go on to work. It is important that when they reach that college or when they reach the employer or employers for whom they will be working, they have the ability to read, the ability to write, to think, to do math, and to use technology so they and their employers can be successful, and they can have the kind of life they want for themselves and their families.

It is not the role of the Federal Government to run our schools. That is the job of the local folks in the States and the schools and the school districts. Our job is to level the playing field. We have an opportunity, through the legislation we are again taking up this afternoon, to try to level that playing field a little bit and to invest the resources needed in our schools, particularly for kids struggling from disadvantaged backgrounds, to provide those resources more flexibly, to say, when we provide more money with greater flexibility, we want results; we are going to hold folks accountable for results, and

finally, to say we want to give parents more authority, to empower parents to choose more often than not the public schools they attend.

I will close with this: If I needed any proof that public school choice was going to work, I got it, literally, the week after I signed, as Governor of Delaware, public school choice legislation into law. I was in a forum where there were a number of school administrators talking amongst themselves. During the break, I overheard one school administrator say to another, about public school choice: If we don't offer what parents want for their kids, they will simply send their children to another school.

I said to myself: He has it. In our State, if we are not offering in school A what parents want for their kids, if they are offering it in school B, the child can go to school B and the money follows the child. The State appropriation follows the child. It infuses competition and market forces into our schools and other schools attempting public school choice in ways we never imagined possible. That is the potential. That is the hope of part of what we are doing today, this week, and later this month.

I ask my colleagues, as we address the consequences for schools going forward in the future, if we are serious about empowering them to do public school choice, if we are serious about making charter schools a reality, keep in mind the legislation and the amendment to be proposed by Senator GREGG and myself.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

Mr. CARPER. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. (Mr. SMITH of Oregon). Without objection, it is so ordered.

Mr. CARPER. I ask unanimous consent to speak as in morning business for 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### EDUCATION

Mr. CARPER. Mr. President, as we gather today in this Chamber, it is quiet. We have people here prepared to take down our words, but relatively few words are being said. We are on the threshold of a historic occasion here in the Senate, where the leadership, at least the majority, is about to pass from our Republican friends to the Democrats' side of the aisle.

While there are many issues about which there might be partisan disagreements, there are many issues on which there is bipartisan agreement. One of those is the education of our children.

Today, visiting our Nation's Capitol, coming to this Chamber and that on

the other end of the building in the House of Representatives, are the young and the old. In those groups of visitors to their Nation's Capitol are many schoolchildren. In many cases they are with parents and with teachers. They have come here to experience our Capitol, to experience the longest living democracy in the history of the world, the United States of America.

This Chamber was not silent just for a good part of this day but for much of last week as well, as we were in recess in observance of Memorial Day. In Delaware and in States across the country, on Memorial Day and during last week, we remembered and saluted and thanked our veterans who served in our Army, Navy, Air Force, and Marines, who in many cases sacrificed their lives in wars of the past century, and the two before that.

There is a document we are all proud of in this country called the Constitution. The Constitution of our Nation is the longest living written constitution of any nation on Earth. It was adopted on September 17, 1787, first by the little State of Delaware. As I like to kid my colleagues, Delaware for one whole week was the entire United States of America. Then we opened it up, and other States came in: Pennsylvania and New Jersey and Maryland and the rest joined us. Eventually there were 50 of us, and it has turned out well.

Mr. President, 213 years later we are going strong. Every now and then our democracy is put to the test. That democracy will be put to the test in this Chamber as we prepare for the passing of the torch from the current majority, Republicans, to the next majority, the Democrats.

One issue we will address later this afternoon, to take up again, is one we have been addressing for the better part of a month, and that is redefining the role of the Federal Government in the education of our children. While we have some disagreements in the margins, there is much about which we agree.

I say to all who come here today and in the days ahead to observe this debate, whether you happen to be from schools in Claymont, DE, or schools in Colorado or any other place, that we will endeavor to do our best to make sure the young people—very young people and those not quite so young—will have every opportunity to be successful in their schools and in their later endeavors, so when they walk across the stage and get that diploma and leave high school, it means they are ready to go on to be successful in college, careers, military, the private sector, public service sector—whatever they do—to be successful for their employers and, just as importantly, for themselves.

There is a meeting commencing this afternoon, after the Democrat and Republican caucuses. A number of Democrat and a number of Republican Senators were invited to the White House, presumably to meet with the President

and members of his administration to discuss education reform.

While the numbers have shifted here a bit in the Senate, what should not have shifted is our commitment to our young people and making sure the Federal Government plays a more appropriate role in the years ahead. As we infuse more resources into our public schools, as we provide greater resources to the public schools, we seek to hold those schools accountable for results, rewarding the kind of performance we want to see and, where it is not happening, to make sure we take steps and the schools take steps to get the kind of performance they want and need and we desire as well.

Finally, we must make sure, better than we did before, that we empower parents to make decisions, real decisions, meaningful decisions, about the education of their children in the public schools of America.

Mr. President, I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WELLSTONE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is now closed.

#### BETTER EDUCATION FOR STUDENTS AND TEACHERS ACT—Resumed

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 1) to extend programs and activities under the Elementary and Secondary Education Act of 1965.

Pending:

Jeffords amendment No. 358, in the nature of a substitute.

Kennedy (for Dodd) amendment No. 382 (to amendment No. 358), to remove the 21st century community learning center program from the list of programs covered by performance agreements.

Biden amendment No. 386 (to amendment No. 358), to establish school-based partnerships between local law enforcement agencies and local school systems, by providing school resource officers who operate in and around elementary and secondary schools.

Voinovich amendment No. 389 (to amendment No. 358), to modify provisions relating to State applications and plans and school improvement to provide for the input of the Governor of the State involved.

Reed amendment No. 425 (to amendment No. 358), to revise provisions regarding the Reading First Program.

Leahy (for Hatch) amendment No. 424 (to amendment No. 358), to provide for the establishment of additional Boys and Girls Clubs of America.

Helms amendment No. 574 (to amendment No. 358), to prohibit the use of Federal funds



by any State or local educational agency or school that discriminates against the Boy Scouts of America in providing equal access to school premises or facilities.

Helms amendment No. 648 (to amendment No. 574), in the nature of a substitute.

Dorgan amendment No. 640 (to amendment No. 358), expressing the sense of the Senate that there should be established a joint committee of the Senate and House of Representatives to investigate the rapidly increasing energy prices across the country and to determine what is causing the increases.

Wellstone/Feingold amendment No. 465 (to amendment No. 358), to improve the provisions relating to assessment completion bonuses.

Voinovich amendment No. 443 (to amendment No. 358), to amend the Higher Education Act of 1965 to extend loan forgiveness for certain loans to Head Start teachers.

Dayton modified amendment No. 622 (to amendment No. 358), to amend the Individuals with Disabilities Education Act to fully fund 40 percent of the average per pupil expenditure for programs under part B of such Act.

Hutchinson modified amendment No. 555 (to amendment No. 358), to express the sense of the Senate regarding the Department of Education program to promote access of Armed Forces recruiters to student directory information.

Bond modified amendment No. 476 (to amendment No. 358), to strengthen early childhood parent education programs.

Feinstein modified amendment No. 369 (to amendment No. 358), to specify the purposes for which funds provided under subpart 1 of part A of title I may be used.

#### AMENDMENT NO. 465

Mr. WELLSTONE. Mr. President, I call up amendment No. 465.

The PRESIDING OFFICER. The amendment is now pending.

Mr. WELLSTONE. I thank the Chair.

Mr. President, the original cosponsor of this amendment is Senator FEINGOLD from Wisconsin. I thank him for his support. Other cosponsors are Senators KENNEDY and CLINTON.

Mr. President, let me try to summarize this amendment.

Right now on this education bill there is a bonus incentive for States to move forward with tests that this legislation calls for. Remember that this legislation on the floor of the Senate is very sweeping, for better or for worse. I think all Senators should think very seriously about that.

Right now we are basically mandating or telling every school district in every State in the United States of America that every child in grades 3, 4, 5, 6, 7, and 8 will be tested every year. This is not an option. School districts don't decide. States don't decide. At the Federal level, the Congress and the Federal Government are saying to States: You will do this.

In the legislation, as I say, the additional bonus money is for States that are able to move forward, and, as a matter of fact, put this testing into effect earlier than 2005.

What this amendment would say is that it is not speed that is the most important criteria. The most important criteria is the quality of the test. What we want to say to States and school districts around the country is

that we will provide an additional bonus to you if you, in fact, are designing and implementing quality tests. Again, what I mean by that is States should not be relying on single standardized multiple-choice tests.

There are probably some students even in the gallery as I speak today. If they were the ones who were out here on the floor and were going to have a chance to speak, I think the students would say: Look. If, in fact, you are going to measure what we have learned and what we know, if you are going to measure what education is on the basis of single tests, standardized tests, or multiple-choice tests, the result will be teachers teaching to those tests, and drilling to get ready to take those tests. This is not all of what education is. In fact, I think it can become quite educationally deadening.

The best teachers I know—I am in schools about every 2 weeks in the State of Minnesota—are teachers who never teach to worksheets. The best teachers I have met are teachers who engage students, who get students to think about their lives in relation to the material, who get students to stand on their own two feet and think for themselves and speak for themselves.

At the very minimum, we ought to be saying to States that we do not want States and school districts to abuse tests by relying on the sort of off-the-shelf standardized fill-in-the-bubbles multiple-choice tests. That is just outrageous.

By the way, these multiple-choice tests put the real world into categories. They do not measure a student's sense of irony. They do not measure how profoundly students are thinking. They do not measure whether students can think creatively. There is a whole lot that these tests don't measure.

Indeed, when the other amendment I introduced was passed, one of the criteria was that the testing that is going to be done has to use multiple measures, and not just one single, standardized test. We need to encourage that type of assessment.

We also need to talk about whether the assessments are coherent. That is to say, are they measuring what is actually taught in the curriculum? If you have a single, standard, multiple-choice test that is generic that just sort of measures students in relation to other students but does not have anything to do with the curriculum and the material and what is actually being taught, then basically you are putting all of America in an educational straightjacket. Aren't we going to make sure, I say to my good conservative friends, that local school districts have some say over defining what makes for good education?

I think we want to make sure the tests are comprehensive. We want to make sure they are coherent.

Then the other thing we want to do is to make sure they are continuous; that is, if we are going to say we want an as-

essment, then we want to try to measure the progress of the student over a period of time. So what this amendment says is, look, let's make sure the assessment gives us the best picture of how students are really doing; if we are going to be engaged in testing, let's make sure it is high-quality testing; let's make sure we are really measuring how well students are doing; and, for God's sake, let's not force school districts and schools and teachers and students into some drill education, what I would call straitjacket education.

I was really pleased that in an op-ed piece in the Washington Post, Secretary Paige himself wrote:

A good test, the kind the President and I support, is aligned with the curriculum so schools know whether children are actually learning the materials that their States have decided a child should know.

Again, that is what I mean by a test that is coherent.

Above and beyond that, let me just simply say to all of my colleagues that the independent panel review of title I, which was mandated in the 1994 reauthorization, has issued its report in January called "Improving the Odds." The report concluded that:

Many States choose assessment results from a single test, often traditional multiple choice tests. Although these tests may have an important place in State assessment systems, they rarely capture the depth and breadth of knowledge captured in State content standards.

The panel went on to make a strong recommendation:

Better assessments for instructional and accountability purposes are urgently needed.

So I again say, with this amendment, if you want to have a bonus system set up, if you want to provide additional moneys for States—not to hurry up, not to just bring a test off the shelf, a test that does not even give us a good idea of how our students are doing—have a bonus that focuses on high-quality testing.

Frankly, I am surprised that I have to come out in this chamber and debate this amendment. I would think this amendment would be adopted with 100 votes. Maybe it will be before we are done.

Now, let me just quote Robert Schwartz, the president of Achieve, Incorporated, which is the nonprofit arm of the standards-based reform movement. Here is what he said:

You simply can't accomplish the goals of this movement if you're using off-the-shelf, relatively low-level tests. Tests have taken on too prominent a role in these reforms, and that's, in part, because of people rushing to attach consequences to them before, in lots of places, we have really gotten the tests right.

Mr. President, these are important words by a man whose work, whose profession, is in the accountability field. I would like to quote the last part of it again:

Tests have taken on too prominent a role in these reforms, and that's, in part, because of people rushing to attach consequences to



them before, in a lot of places, we have really gotten the tests right.

That is exactly my point. We need to get the tests right.

"Quality Counts," a recent study on the state of assessments in the United States, concludes this way:

In too many States, the tests still focus too much on low multiple choice questions and are poorly aligned with the standards they are designed to measure.

So again—and I will emphasize this for maybe the 20th time this afternoon—what we want to do is we want to make sure that if there is going to be this testing—all in the name of accountability, all in the name of assessing how our students are doing—then we had better make sure we get it right. And if we are going to have a bonus system, let's provide the bonus money to those States on the basis of their putting together high-quality tests. That is what this amendment says: That above and beyond timeliness, the other criterion, the criterion that is so critically important, is that we have high-quality tests.

I say to Senators—and, by the way, I have a real question about this; I have not decided this question in my own mind; I have not decided what the right answer is—if we are going to mandate—I think this is breathtaking, what we are doing here, frankly—if we are going to mandate that every school district in every State test every kid, then, at the very least, it is our obligation to make sure these tests are done right so that they achieve the best effect.

Let's not give States an incentive to do low-quality tests which can have such a damaging effect by rewarding them for rushing. What we ought to reward States for is having high-quality tests, which means they are comprehensive, which means they are coherent, which means we are actually assessing the progress of students over a period of time.

I want to make it really clear that if we do not focus on high-quality tests, we are asking for real trouble. I say to Senators, before you vote on this amendment, if we do not provide a bonus payment to States for high-quality tests, if we do not make that our priority, and instead our emphasis is just on States rushing forward with any kind of test, we will not be helping children or teachers or schools in America; rather, we will be doing damage because if the only thing we do, all in the name of "reform," is to barrel down this path where you have State after State after State being forced by the Federal Government to do the testing, just taking off the shelf these standardized tests, with no multiple measures, and not being related to the curriculum that is taught, then we are going to have something which amounts to what I call drill education.

Again, I am looking up at the gallery. I know there are students up there. Students hate drill education. And they should hate drill education.

And teachers hate drill education. It is not real teaching, and it is not real learning, to just sort of drill, drill, drill, and have students memorize, memorize, memorize, and then have some simple jingo standardized testing and nothing else.

I fear for where education is going to go if, at the very minimum, we are not, in our work in the Senate, focusing on quality testing.

I also point out to my colleagues that there has been recently in the New York Times—and, frankly, I wish the New York Times had done this 6 months ago, not just within the last several weeks—an excellent and a very troubling series, of articles on the perils of testing.

I again mention to my colleagues that right now this legislation encourages States to rush to develop their new annual tests so they can receive bonuses from the Federal Government. What my amendment says is that every State has to be on time. Not one Senator can say: Senator WELLSTONE, you are trying to stop the testing. By the way, if it were within my power, I might. I am not so sure we should be doing this. But that is not what this amendment says. What this amendment says is that every State is going to have to implement the testing, if we pass this legislation, but if they do it, then they ought to receive a bonus from the Federal Government for having high-quality tests. That is what this amendment says.

This amendment, cosponsored by Senator FEINGOLD, Senator KENNEDY, and Senator CLINTON, rewards those States that develop high-quality assessments as gauged by a peer review process, rather than simply speeding towards implementing tests with no consideration as to the quality of these assessments.

In the New York Times articles, they point out, in a very crystal-clear way, that quality matters. I want to just read from a couple of these pieces in the New York Times.

I quote from a piece in the New York Times. This is on some of the dangers of rushing:

Each customized test the State orders must be designed, written, edited, reviewed by state educators, field-tested, checked for validity and bias, and calibrated to previous tests—an arduous process that requires a battery of people trained in educational statistics and psychometrics, the science of measuring mental function.

While the demand for such people is exploding, they are in extremely short supply despite salaries that can reach into the six figures, people in the industry said. "All of us in the business are very concerned about capacity". . . .

What we have is people in the educational area saying: We are really worried about whether or not we are going to be able to follow through on this mandate. And there are all sorts of examples in different States, from New York to Arizona to Minnesota, where either there have been testing errors and kids have been kept back or have

not graduated, with unbelievably harsh consequences, or principals and teachers have lost jobs, with the argument being that they were not able to teach well when in fact, as it turns out, the tests were not reliable or articles about teachers who were high-quality teachers who we would want to teach in inner cities or in rural areas—the Presiding Officer is from Maine—and who basically are now leaving the teaching profession because they are saying, wait a minute; not only do we want the resources but we certainly don't want to be forced to be involved in drill education, just teaching to these simple standardized tests.

The New York Times, again, had several articles which pointed out some of the real dangers.

The Washington Post had a piece February 10, 2001. I quote from one of the pieces.

But 21 states test in three or fewer of the six grades, according to the center, and under President Bush's plan would have to at least double the number of students they test annually.

Only seven States right now are testing every year in grades 3 through 8 in a way that is aligned with state standards; other States do it every other year; some States, have not even met the requirements set out in the 1994 law. What we are now going to say is every State, every school district has to test every child every year. They are not given any choice. Not only are we saying that, but we are also saying there will be consequences based upon how the students do on those tests.

There will be consequences in terms of additional money, in terms of whether or not those schools will be sanctioned, in terms of whether or not those schools will be told that they have to operate differently, in which case, what my amendment is saying is: With this bonus system, let's not provide bonuses for States for rushing, since we have example after example after example of the abuse of testing and what can go wrong. Let's provide bonuses to States on the basis of quality.

My definition of quality, which is based on a recent report by the National Research Council, "Knowing What Students Know" and on other sources such as the "Professional Standards on Educational and Psychological Testing" is: A, the tests should be comprehensive and not rely on just one single standardized test, B, the tests should be coherent. The tests should test the curriculum being taught. Otherwise, you have teachers in schools who have to teach to standardized tests that have nothing to do with the curriculum being taught in a school district in Maine or in Minnesota. That makes no sense whatsoever. And C, you want to track the progress of a child over a period of time.

What this amendment says is, right now in the legislation, we have it backwards; we are talking about providing

an incentive, a bonus, to States for rushing. My amendment says, even though I have concerns about this Federal mandate, it is amazing: Here I am, a liberal Democrat from the State of Minnesota—I don't think the Chair would refer to me as a conservative Republican—and yet I am not sure in my own mind—I mean this; I am not trying to be gimmicky—I am not sure the Federal Government should mandate this. I am not sure we really have any business telling every school, every school district, every State, you have to test every child every year, 8-, 9-, 10-, 11-, 12-, and 13-year-olds. But that is almost beside the point. With my amendment, what we are saying right now is, if we are going to do it, let's do it the right way.

Last week, we passed, with 50 votes, an amendment which said this testing needs to meet professional standards and that states have to show that their tests are of adequate technical quality for each purpose for which they are used. That is really important. What this amendment says is, when we do the bonuses, let's be clear to the States—all my colleagues who believe otherwise about testing, this is not an amendment that says we don't have testing. Every State will have to meet the deadline. Every State will have to meet the deadline by 2005. But what this amendment says is, on the bonus payment, let's give the bonus payments to the States and to the school districts for high-quality testing. That should be the criterion.

It makes no sense to say we give bonus money to States solely on the basis of who does it first. Then you have everybody rushing. When people rush, they might not get it right. If you don't get it right, you don't have an accurate assessment. If we are going to do it, we had better get it right; it had better not be inaccurate. Some of this testing around the country has been inaccurate. As I said, the New York Times had a whole series of articles about that. It had better be accurate.

Secondly, if you are going to do it, it had better measure real teaching and real learning and real education. Let's not put all of the children and all of the schools and all of the teachers in America in a straitjacket. Let's make sure they know that we are expecting and support multiple measures. Let's make sure they know we want it to be coherent and measure the curriculum they are teaching. Let's make sure we are, indeed, measuring the progress of a child. Let's make sure it is done the right way, in which case, let's have bonus payments that provide the money and provide the additional payment and provide the additional bonus to those States that are engaged in high-quality testing.

That is what the amendment says. I could go on, but I think this is a fairly accurate summary of my amendment.

I yield the floor.

The PRESIDING OFFICER (Ms. SNOWE). The Senator from Massachusetts.

Mr. KENNEDY. Madam President, as we have just heard from our good friend and colleague, Senator WELLSTONE of Minnesota, we are back on legislation that the Senate is considering on support for elementary and secondary education. I welcome the fact that we are on it, and am very hopeful we will stay on it until we conclude. We have been on this legislation in one way or the other probably for the better part of 4 or 5 weeks, but we have only been on it for a few days at a time.

As most of you understand, the reauthorization of ESEA is an extremely important piece of legislation. It deserves the full time and attention of the Senate. We had a series of amendments, and over the Memorial Day recess we had the opportunity to go through the more than 200 amendments which were initially offered. We have been able to dispose of 33 of those amendments, and we have a number of amendments that will be withdrawn. Others are acceptable. And there still remain a number that are still pending a vote on the floor of the Senate. We want to get about the business of completing our work on education. I welcome the fact that we are back on this legislation.

I will address the amendment we have before us in a moment or two, but I do want to let our colleagues know that earlier in the afternoon the President called a number of members of the Senate Education Committee and a few others to the White House to talk about the Elementary and Secondary Education Act. He indicated at that time that the legislation, as it stands, would be acceptable to him, and he didn't need to have it enhanced or altered or changed. He urged us to get about the business of completing the reauthorization of ESEA.

I indicated to the President that we have been working diligently on this legislation, and have been working in a bipartisan manner. We have had the opportunity of working with the Secretary of Education and the President's education advisers. And now we have a very important, significant blueprint that can make a difference in the quality of education for children in this country by building on the standards which have been established by 49 of the States, by using high-quality, meaningful assessments so that we know what children are learning, particularly in the areas of math and literacy and, eventually, in 2007 and 2008, in science, and by using data from those assessments to identify the strengths and weaknesses of students, and provide the needed assistance for them to succeed.

We are going to hold the schools, communities, children, and parents accountable. The point I made to the President was that I thought we in Washington ought to be held account-

able as well by ensuring that the benefits of this legislation should be available to all the needy children and not, as is currently the case, to just a third of the children.

It has been our position from the beginning that with the changes included in this legislation, we should fund the Title I program. Now it is funded at a third. We ought to be able to fund it at two-thirds next year and reach two-thirds of the children. Over the 4 years of President Bush's Presidency, we ought to have a commitment to reach the final third so that we will have the full funding of the Title I education program that can be flexibly used by local communities. With the provisions included in this legislation, we can provide a very positive learning experience for every child.

We are not there yet. The President indicated we will continue to have ongoing discussions, particularly as the Appropriations bills are considered. He certainly has not ruled full funding of Title I out, but he has not ruled it in.

We indicated that our position was supported by 79 Members of the Senate, Republicans and Democrats alike. I indicated to the President that support for mandatory, full funding of IDEA, funding that helps local communities to fund their special needs programs for children with disabilities, has very broad bipartisan support. We are very hopeful that any conference committee will once and for all provide for full funding of the Individuals with Disabilities Education Act. It is a position supported by more than 70 percent of the Senate, a good share of Republicans and Democrats alike.

In any event, we had a good exchange at the White House. We welcome the President's strong support for our legislation, and we have every intention of working to respond to Senator DASCHLE's strong desire to make this legislation the first order of business. We ought to complete this legislation. I urge our colleagues who have amendments to bring them to our attention so that we can dispose of them in an orderly way.

As we return to our ongoing education debate here in the Senate, I think it appropriate to review briefly what our pending legislation does and its sources of inspiration.

Our goal in this bipartisan legislation has been to support proven, effective reforms. Time and again we have seen individual schools follow a similar path and achieve successful improvements in the quality of education. This reform bill builds on that grassroots experience.

The bill requires every child to be tested each year in grades 3-8 so parents and educators alike will have better information on where their children stand and what needs to be done to help them learn more effectively.

The bill requires that students, schools, and school districts are held to challenging academic standards. Low-achieving children will receive additional help. Students in failing schools

will be free to transfer to other public schools or take advantage of after-school supplementary tutoring. If a failing school does not turn around in a reasonable number of years, it will be completely reorganized.

The bill provides high-quality assessments aligned with State standards that measure a full range of the child's learning. Off-the-shelf, fill-in-the-bubble tests too often compromise the quality of instruction and undermine genuine efforts for school improvements.

I salute the very strong efforts of the Senator from Minnesota in making sure that tests are quality tests that challenge children and positively affect the learning process, not just measure what they have been able to memorize in a particular class. That is enormously important. This legislation is going to be strengthened because of the efforts of the Senator from Minnesota.

Parents and the public deserve to know not only where their children stand, but also how their local schools and districts measure up. Annual report cards are required at each level. Sunshine can be a powerful force for change.

Our bill is strict in asking more of students, teachers, and schools and in holding them accountable for their performance. Just as important, the bill is intended to provide the resources that we know are necessary for all of them to have a genuine chance for success.

Our bill provides support to reach the goal of a qualified teacher in every classroom and a qualified principal in every school. Today, 39 percent of all teachers are teaching a subject in which they have no undergraduate major or minor degree. Clearly, that figure is unacceptable, and Congress can help do something about it.

Our bill revises and strengthens professional development programs to provide teachers with year-long mentors, ongoing training in their subject matter, and the best teaching methods and practices in child development.

It offers additional support to school districts with high concentrations of limited-English-proficient students to teach them English and make sure they meet the same high academic standards we expect all children to meet.

The bill expands the successful 21st Century Learning Centers Program that does such an excellent job of offering worthwhile after-school activities to students. Our goal is to reach every latch-key child over the next 7 years to provide them with supplementary learning opportunities after school that keep them off the streets, away from the gangs, and out of trouble.

Our bill also provides full funding for the Individuals with Disabilities Education Act. Twenty-five years ago, the Federal Government promised to pay 40 percent of these costs, but we have never met that promise. Today the figure is still only 15 percent. It is long past time for Congress to meet its commitment to special needs children.

Our bill's emphasis on better results and targeted resources comes from experience at the grassroots. Those experiences demonstrate that all schools can do better, not just the elite few.

Hundreds of successful local schools and school districts around the country are making impressive strides in improving student achievement. We can turn that number into thousands by helping guide the way. Many challenged schools are already turning themselves around as a result of reforms that focused on increased accountability linked to higher standards and quality testing, early intervention for children who need additional help, and adequate investments in proven reforms, especially in high-needed areas.

Three schools that have recently reported improvements are excellent examples. The Ashley Elementary School in Denver, Colorado, has an almost 100-percent minority population with a 90-percent poverty rate. It recently reported that since 1998, the number of third graders meeting State reading standards had soared by 280 percent—280 percent.

After years of reported failure, the school was shut down and reopened with new teachers and a new principal. Results of the Colorado Student Assessment Program were carefully analyzed, and the entire staff of the school signed on to a goal of raising student literacy skills. As a result, literacy was emphasized in every subject and in every class. Assessments of each student are monitored bimonthly. Students who fall behind receive extra support quickly or new methods of instruction. Every teacher gets professional development support every week. Ninety-minute reading blocks were created with a class size of 12 students per teacher, compared to 25 students per teacher in 1998.

Strict accountability, high-quality assessments, early intervention, professional development, and class-size reduction—these are precisely the types of proven reforms that will be strongly supported in the pending legislation.

Another example is Humboldt Elementary School in Portland, Oregon, which has been turned around with a similar combination of reforms. In 1997, only 17 percent of third grade Humboldt students and 10 percent of fifth grade students met Oregon's benchmark scoring in reading. Twenty-five percent of third graders and only 9 percent of fifth graders met the math benchmark.

In the face of this serious challenge, the city of Portland shut down and reconstituted the school. Two-thirds of the staff was reassigned. A new principal was hired. Academic and performance expectations were raised for all students. Class size was reduced from 28 to 1, to 21 to 1. All teachers now receive weekly professional development. Individual student assessment results are analyzed regularly and learning needs are diagnosed to respond to

quickly. Eighty percent of Humboldt children participate in afterschool learning programs. Humboldt found out that reform costs money. In 1998, Portland added \$540,000 to Humboldt's budget to carry out their reconstitution program.

I will later provide examples of schools, in my State of Massachusetts, that have experienced dramatic results when given the necessary resources to succeed. In many cases, schools reversed low-performance using less \$540,000—the amount allocated to reversing low-performance in the Humboldt budget. The New American Schools Corporation estimates that it costs approximately \$180,000 to implement a comprehensive school reform model in a given school—often the first step toward turning around low-performance. We have 10,000 failing schools at the present time, which equates to \$1.8 billion to begin the process of turning around the nation's low-performing schools. If we are committed a quality education for all of America's students, we will include those resources in our legislation. Those resources have not yet been included. We think they should be.

According to the Oregon assessment in 2000, the percentage of Humboldt students meeting the State benchmark for academic performance increased to 67 percent among third graders and 60 percent with fifth graders. The percentage of third graders more than doubled, to 57 percent in math, and the percentage of fifth graders meeting the math standard soared to 70 percent.

Another impressive example of a successful school is the Jeremiah Burke High School in Dorchester, MA. Not long ago it was thought of as a hopeless, high-poverty school, but it is turning itself around with precisely the types of reforms emphasized in this current bill.

The Burke High School story was featured on the front page of the Boston Globe of May 22: "Dorchester School Gains Acceptance." I ask unanimous consent the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

#### DORCHESTER SCHOOL GAINS ACCEPTANCE

(By Anand Vaishnav)

Six years after the Jeremiah E. Burke High School lost its accreditation—symbolizing both the decay of urban Boston and the struggles of its public schools—the Dorchester school has reached a new milestone: All eligible seniors in the Class of 2001 have been accepted to two- or four-year colleges.

"Now we have proof to show people what we can do," said Shannon Phillips, who will attend the University of New Hampshire.

In 1995, despite athletic prowess and school spirit, such proof was hard to find. Academic and physical woes, from no librarian to no drinking water, caused the New England Association of Schools and Colleges to strip the Burke of its accreditation, jeopardizing students' chances to get into college.

With an infusion of new money, an exodus of teachers which Headmaster Steven C. Leonard was able to replace with his own

picks, and the billy club of shame, the Burke gained its certification back in 1998. Leonard then embarked on another piece of the improvement puzzle: getting more students into college.

"We just convinced them that they couldn't graduate until they applied to college," Leonard said with a smile. "We were bluffing. But it worked."

Whether the acceptance rate sets a new standard or is an aberration is open to question. A five-year school district agreement in 1996 promising more money for teachers, maintenance, and counselors to get the Burke back on its feet expire this year. And Mayor Thomas M. Menino, while touting the school, said he can't promise to maintain its financing.

"I'm not going to say that," Menino said. "But we're going to continue the progress they've made. We're not going to let the school go backwards."

Boston School Superintendent Thomas W. Payzant said the likely scenario is gradually adding more students—the school's enrollment has been kept below 700—while keeping the money and staffing the Burke has had.

"There's not as much magic in the number of students as it is the work they've learned to do with them," Payzant said.

The Class of 2001 with about 200 freshmen, and 172 became seniors, a number whittled down by transfers, moves, and dropouts. (The Burke's dropout rate is 13 percent, down from 17 percent five years ago, but still higher than the district's dropout rate of 8 percent.)

Of the 172 seniors, 14 are in jail or a state juvenile facility and won't graduate, Leonard said. Another four are illegal immigrants and will graduate but can't attend college because of their immigration status.

That leaves 154 graduates, many of whom are headed to local community colleges, technical colleges, or state universities such as a University of Massachusetts campus or Bridgewater State College. A few are headed to Berklee College of Music or Boston College, and some who got into college are weighing the military instead.

So how did they get there?

Three years ago, with the accreditation dilemma solved, Leonard began thinking of ways to boost the college-acceptance rate. Last year, he made an application to college part of the year-end "portfolio" all seniors must present to graduate.

This year, he told teachers that he wanted students to move beyond application to acceptance to a two- or four-year college—and he made it clear to students that it was a condition of receiving a diploma, even though it wasn't enforceable by law.

"We are preparing kids so that if they don't go to college, it's got nothing to do with us," Leonard said.

The Burke's guidance counselors and teachers then got to work, badgering students about financial aid forms, asking for essays, and introducing them to colleges they hadn't considered.

Had it not been for the personal attention, students said, they either would not have considered college or would not have applied to as wide a variety of schools. Senior Melanie Silva, who will attend Hesser College in New Hampshire, recalled how her sophomore biology teacher, Ernest Coakley, was relentless.

"He just stuck on me: 'I want to see your personal statement, I want to see your college application,'" Silva said. "He's still on me."

The City Council is expected to consider a congratulatory resolution for the Burke tomorrow.

Yet some worry about the intense focus on college, especially for students who simply

aren't ready. Debra Wilson, who has a son at the Burke and one who graduated in 1998, is "ecstatic" about the high college acceptance rate. But she said she is concerned that the drive to get all students into college comes at the expense of spending time on other activities.

"We're losing sight of the student as a person, and a student needs to be a fully rounded person," Wilson said. "Sometimes we can overwhelm our children."

Leonard says he will live with any choice a student makes. But when he speaks to Burke students—and he interviews every new one—he tells them there are 18 other Boston high schools they can attend if college isn't in their cards.

As headmaster, Leonard said he now worries about maintaining what the school has, and his concern is rooted in history.

The schools' most recent renaissance was in the 1980s under headmaster Albert Holland, who got much of the same money and attention Leonard did. In 1991, budget cuts and rising enrollment devastated the school, coinciding with a citywide rise in youth violence that divided the school's hallways into gang turf.

While losing accreditation was a powerful tool for improvement, Leonard hopes the school's recent taste of success is a stronger catalyst to sustain achievement.

"My constant energy drain," he said, "is to hold everything together long enough so that enough people will realize that it's possible in the inner city."

#### GOING TO COLLEGE

[The percentages of graduates of some area high schools who will attend two- or four-year colleges]

High school	No. of graduates	Going to college (percent)
Burke (Boston)	154	100
Billerica	331	84-86
Brockton	700	76
Charlestown	192	81
Everett	338	96
St. John's Prep (Danvers)	268	99
Wayland	175	95
Wellesley	211	92
Westwood	144	95
Weymouth	395	75

Note: Some percentages are approximate because data is still being compiled.

Source: School districts.

Mr. KENNEDY. Burke High School lost its accreditation 6 years ago because of low test scores. Only 36 percent of the senior class was accepted into college. After doubling per pupil spending, hiring new staff, and raising academic standards, the school regained its accreditation in 1999.

Last year 62 percent of its seniors were accepted into college. This year every eligible senior, 100 percent of the Class of 2001, was accepted into a two or four year college. At Burke High School, no child is left behind.

Burke High School is one of the most dramatic stories that has come across our desk. I visited that school when it was facing enormous problems. It is now doing extraordinarily well. It is a major achievement and accomplishment.

The school's principal, Dr. Steven Leonard, attributes the turnaround to sustained ongoing school-based professional development for teachers. Teachers are trained outside the classroom, coached inside the classroom, and have year-long mentors at the school. When the Burke High School

carefully analyzed its State test results, it discovered a widespread and deep need throughout the school. Dr. Leonard then raised more than \$500,000 in 3 years from private sources to implement three schoolwide professional development programs. Over 3 years, he was able to spend a little over \$125,000 a year for professional development for that school.

We know what works. This legislation has the framework to make sure that it can work for children across the country, but we also know it takes the investment, the resources, to give life through these reforms.

The Jeremiah Burke High School is an extraordinary example. Teachers have been trained to integrate literacy instruction throughout the curriculum. Teachers have learned to use technology as an educational supplement that enhances quality instruction instead of replacing it. Each classroom is now connected to the Internet. Every teacher at Burke participates in an ongoing professional development program that encourages college application, including financial aid applications. Every staff member at the school, not just guidance counselors, are trained in the procedures for college admissions and financial aid applications.

Last year, Dr. Leonard required a complete college application to be a part of a year-end portfolio that all seniors must have in order to graduate. This year, he has made college acceptance an informal condition of graduation, and every child has measured up and met that challenge. It is extraordinary. With the same type of skillful analysis and hard work, every school can do the same.

In the education reform legislation before the Senate, we encourage the same combination of high expectations, diagnostic testing, quality teaching, high-tech classrooms, and after-school learning opportunities that have worked at Burke High School in Massachusetts, Ashley Elementary School in Colorado, Humboldt Elementary School in Oregon, and scores of other schools such as these.

We authorize \$11 billion in additional funding for next year alone so new reforms can be launched in schools across the Nation and ongoing reforms can be sustained.

This bill is solidly grounded in a vast amount of widely accepted research and practical experience. If we continue to work together on a bipartisan basis and enact this legislation, the real winners will be students, schools, communities, States, and the whole Nation. Let's finish the job we started so well.

On the Wellstone amendment, I want to indicate my strong support. I agree we should be focusing on the use of tests that are of high quality rather than how quickly they be developed. State assessments are the base of new accountability system in Title I, and

we want assurance that the assessments are of high quality and an accurate measure of what students know and can do.

I had the good opportunity last Friday morning to be at a conference in Boston with 500 principals, teachers, and administrators of schools who have been working in the whole area of academic enhancement for children and accountability. This was a nonprofit organization that works to promote standard-based reform. They found the States have improved their standards in testing but they still have a way to go.

I agree with the Senator that their evaluation of what works for children is enormously important. They have been at this for a long period of time. There is no superior organization in this area. We cannot afford to compromise the quality of assessment at the expense of quickly developing the test.

The Administration has wanted to make sure we are going to create incentives in the States to move toward accountability. That is an admirable desire. However, we want to make sure that accountability systems are tied to quality tests. That is what the Senator's amendment is all about. I believe it is completely consistent with what the objectives of this bill are. It will also provide the assessment on the basis of the content standard more effectively than the off-the-shelf tests, which in too many instances are being taught to. We cannot afford to compromise the quality of assessments at the expense of quickly developing tests.

I heard the Senator talk about the mistakes. Most of us have read the New York Times article on the tests that were given in New York City and the mistakes that were made and how this disadvantaged children as well as principals as well as the school administrator and how the company still claims they have 99.997 percent accuracy. But just that amount of failure resulted in dramatic adverse developments for students as well as for teachers and administrators.

In my State of Massachusetts, there are several quality control measures in place to ensure reliability in the scoring of the MCAS test, our State assessment. Aside from the contract on assessment outside of the State, the results of all MCAS tests are also independently reviewed by testing experts at the University of Massachusetts. In addition to soliciting an additional review of the tests from the University, Massachusetts also trains its teachers, who are well-versed in the State standards, in the scoring of the MCAS. Teachers in Massachusetts review at least 25% of the test questions, including all of the written compositions in English language arts. Teachers are trained in the rubric and scoring process for a week-long period every July.

Massachusetts' example illustrates the points made by the Senator from

Minnesota regarding the need for ensuring quality in the test development and administration. We cannot afford to compromise the quality of assessment at the expense of quickly developing tests. Developing a high-quality assessment, even in just one subject for one grade, is a lengthy process. According to experts on test development, there are eight basic steps in the test development process. They are as follows:

Defining the purpose for which the test is being developed; convening a technical committee to work with the States to write test specifications and determine the content and form of the test; developing and reviewing the questions and ideas on the test; conducting pretesting to ensure fairness, reliability, and accuracy of items on the test; data analysis and test assembly to make sure the test is aligned with the required subject matter and skills; and test administration and the development of accommodations for students with special needs.

I see my friend and colleague from Maine in the chair. I know she is very familiar with these activities because the State of Maine is one of the States which has given an enormous amount of attention to all these matters of testing and also with regard to special needs children.

The steps also include developing scoring changes and cut points associated with proficiency levels; and analysis of specifications and readjustment and realignment of items. States should not be encouraged to rush through this process but should take the time to develop assessments of high quality. States should be rewarded for taking the time to develop valid and reliable measures of what students know and can do.

Good tests work. They provide us with information on student performance, help educators identify the needs of individual students, and measures our impact on working to change schools and turn around low-performing schools. However, while 15 States have developed tests in third through eighth grade math and reading, only seven States use high-quality tests that are aligned with academic standards in those subject areas. We should encourage States to use that time to develop quality assessments rather than develop assessments quickly.

Awarding bonuses for the quality of assessment is consistent with our commitment to help States improve the quality of their tests. The Senate passed the Wellstone amendment to enhance the quality of test assessments by a vote of 50-47. We should continue to encourage States to improve the format of their tests, align the tests to standards, and employ multiple measures so the tests are reliable measures of what students know and can do.

I strongly support the amendment offered by my friend from Minnesota. In this bill, we establish standards that

define what we expect children to know each year. Then, we establish assessments to provide for the evaluation of that knowledge. High academic standards and quality assessments go hand in hand.

We hope to avoid what is happening in too many States. That is, curriculum is not aligned to high standards, and tests are not aligned to high standards. When this happens, we risk compromising student's learning. We risk having teachers teaching to tests because they don't want to have a bad record of their students not being able to perform. That is not what this legislation is about.

Senator WELLSTONE has spent a good deal of time trying to make sure that this legislation includes high-quality assessments, and that it accomplishes our goal of improving student learning. I thank him and commend him for the excellent work he has done in this whole area.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. Madam President, I will just take a few minutes. I thank the Senator from Massachusetts and thank him for being a cosponsor of this amendment.

Madam President, I refer my colleagues to the series of articles in the New York Times, and also a very interesting piece in the Atlanta Journal titled "Teachers Find Flaws in State Test's Science Part."

I thank Senator FEINGOLD for his support as an original cosponsor of this amendment and Senators KENNEDY and CLINTON for their support as cosponsors as well.

To remind my colleagues, since it has been a long time since this amendment was first introduced, this amendment is very non-controversial. It says that instead of the bill's language, which would reward states solely based on how quickly they finish their assessments, the Secretary should instead reward states that develop the highest quality assessments. The awards would be granted through a peer review system. We should not be giving states an incentive to rush on such an important issue. We have to give more incentives to improve the quality of the assessments.

This amendment really goes back to why we are measuring student achievement in the first place and what are our goals in setting up the accountability systems we have. Are we measuring for the sake of measuring only, or are we measuring to get the best picture of how our children are doing? If we want to get the best picture of how students are doing, we need to have the best possible assessments. They need to be aligned with standards. They need to be free from bias. They need to reflect both the range and depth of student knowledge and assess not just memorized responses, but student reasoning and understanding. This is exactly what my amendment on the quality and fairness of State assessments that was passed earlier in the

consideration of this bill is all about. That is what this amendment is about. If there is anybody who thinks that speed is more important than quality, please, vote against this amendment. Please, come down and debate me on it. I would be happy to.

I was happy to see that Secretary of Education Paige also agrees that tests need to be high quality. He wrote that state assessments must be tied to the state standards and curriculum in his Washington Post op-ed that was published a couple of weeks ago. Secretary Paige writes: "A good test—the kind the president and I support—is aligned with the curriculum so that schools know whether children are actually learning the material that their states have decided a child should know." I would like to thank the Secretary for this statement, and based on it, I would hope that he and the administration and every Member of the Senate would support this amendment.

Let me review quickly my statements here on the floor before the recess about the key components of high-quality and fair assessments. The standards used by experts in the field—as laid out in the recent National Research Council Report "Knowing What Students Know"—in analyzing assessment quality are summed up in three questions:

Are the assessments comprehensive? That is, do they use multiple measures to capture the complexity of student learning rather than rote memorization of test content?

Are the assessments continuous? That is, do they capture student learning across time?

Finally, are the assessments coherent? That is, do they measure what is actually being taught in the curriculum?

So, based on Secretary Paige's comments, there now seems to be some agreement that the new state assessments need to be high-quality and fair. But, anyone working in the field of educational assessment will tell you that high-quality assessments take a long time to develop. They require a deliberative process. They should not be rushed.

It seems odd that, in this context, we would reward states simply because they finish their assessments quickly. If in fact, seems like an incentive for people not to spend time developing, improving and perfecting their assessments, but rather to take the easy way out. If they do, they can get a reward. If they do not, they get nothing.

This would be extremely problematic, because all the research indicates that we need to move toward higher quality assessments, not lower quality assessments. I believe that those states that invest resources in the very expensive endeavor of developing high-quality exams that reflect state standards should be rewarded for the value judgment that they have made.

The Independent Review Panel on title I which was mandated in the 1994

Reauthorization issued its report "Improving the Odds" this January. The report concluded that:

Many States use assessment results from a single test—often traditional multiple choice tests. Although these tests may have an important place in state assessment systems, they rarely capture the depth and breadth of knowledge reflected in state content standards.

The Panel went on to make a strong recommendation. It said:

Better assessments for instructional and accountability purposes are urgently needed.

Further, as Robert Schwartz, the president of Achieve, Inc., the non-profit arm of the standards-based reform movement recently said:

You simply can't accomplish the goals of this movement if you're using off-the-shelf, relatively low-level tests . . . Tests have taken on too prominent a role in these reforms and that's in part because of people rushing to attach consequences to them before, in a lot of places, we have really gotten the tests right.

That is exactly my point. We need to get the tests right. "Quality Counts," a recent study on the state of assessments in the United States, also concludes, "In too many states, the tests still focus too much on low level multiple choice questions and are poorly aligned with the standards they are designed to measure."

Low quality assessments can actually do more harm than good. I would like to quote from the National Standards on Educational and Psychological Testing. The standards state:

The proper use of tests can result in wiser decisions about individuals and programs than would be the case without their use and also can provide a route to broader and more equitable access to education and employment. The improper use of tests, however, can cause considerable harm to the test takers and other parties affected by test-based decisions.

It is our obligation to see that tests are done right so that they achieve the best effect. Let's not give states an incentive to do low quality tests, which can have such a damaging effect, by offering them an award for rushing.

The National Standards state that this is our obligation. The Standards say:

Beyond any intended policy goals, it is important to consider any potential unintended effects that may result from large scale testing programs. Concerns have been raised for instance about narrowing the curriculum to focus only on the objectives tested, restricting the range of instructional approaches to correspond to the testing format, increasing the number of dropouts among students who do not pass the test, and encouraging other instructional or administrative practices that may raise test scores without effecting the quality of education. It is important for those who mandate tests to consider and monitor their consequences and to identify and minimize the potential of negative consequences.

Let's enhance our accountability systems by trying to enhance the quality of assessments so we can avoid the negative outcomes described in the Standards and more accurately measure what students know and can do. This

way we can more effectively use tests for their best purpose: to diagnose students' needs and help students improve.

I urge support for this amendment, for quality and for better reform.

AMENDMENT NO. 465, AS MODIFIED

Mr. WELLSTONE. I ask unanimous consent I be allowed to send my modified amendment to the desk. Basically what this amendment does, Madam President, is it makes crystal clear the bonus payments will go to States—first of all, they have to meet the deadline. I don't want colleagues to think I am giving States any way of not meeting the deadlines.

Second, the other requirement is that the bonus goes to States that develop assessments that most successfully assess the range and depth of student knowledge and proficiency in meeting State performance standards in each academic subject on which the States are required to conduct their assessments. There will be a peer review. I send my modified amendment to the desk.

The PRESIDING OFFICER. Without objection, the amendment is so modified.

The amendment, (No. 465) as modified, is as follows:

On page 776, strike lines 1 through 5, and insert the following:

"(b) ASSESSMENT COMPLETION BONUSES.—

"(1) IN GENERAL.—At the end of school year 2006-2007, the Secretary shall make 1-time bonus payments to States that develop State assessments by the deadline established under 1111(b)(3)(F) and as required under section 1111(b)(3)(F) that are of particularly high quality in terms of assessing the performance of students in grades 3 through 8. The Secretary shall make the awards to States that develop assessments that most successfully assess the range and depth of student knowledge and proficiency in meeting State performance standards, in each academic subject in which the State is required to conduct the assessments.

"(2) PEER REVIEW.—In making awards under paragraph (1), the Secretary shall use a peer review process.

Mr. WELLSTONE. Madam President, I think the Senator from Massachusetts has said it well. I will have more to say about this overall education bill later on, but this is all in the spirit of trying to improve this bill. I hope there will be a lot of support for this amendment. So far no one has come out on the floor of the Senate to debate the amendment, and we are going to have a vote actually at 5:30 or thereabouts, or we think we will. If not, we will have a vote tomorrow.

We all have our expertise. I don't even want to say—it is a little presumptuous. I don't know that I am the expert, but 20 years of my adult life was education. I take it seriously. I happen to have been someone who did not do well on some of these standardized tests. I know the danger of relying on just one standardized test. I think the amendment that was agreed to last week was important. We do want to have multiple measures, and I think we do want to have a relationship between



the tests and the curriculum being taught.

The only thing this amendment does is say: Look, let's be clear. All States have to meet the deadline. I am sure those of my colleagues who are all for mandatory tests would insist on that. I am not going to disagree at all. But I am saying let's give the bonus to States for high-quality tests. That is really what we want to reward. That is what we are trying to push.

If we are going to do this, let's make sure we are doing an accurate assessment of how the children are doing. If this is all being done in the name of accountability, that is to say we want to know how children are doing in different schools in America, then let's make sure we have the best assessment. That is all this amendment says. Let's have a bonus payment that goes in the direction of nurturing and promoting the best possible assessment.

It is a good amendment, and I hope my colleagues will support it.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. KENNEDY. Mr. President, I ask unanimous consent the order for the quorum call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Massachusetts.

Mr. KENNEDY. Madam President, Senator COLLINS has an amendment also dealing with the issue of testing. When she arrives on the floor, I will yield the floor. I want to make some additional comments regarding funding and why I think it is so important.

At the present time, we are only reaching about a third of all the children who are eligible. Listen to this. This is with regard to my State of Massachusetts. I will try by the end of the week to have a similar kind of breakdown for all the other States because I believe they will find that their situation is very similar.

In the 1999-2000 school year, the supplemental Title I funding for disadvantaged children went to 980 out of the 1,900 Massachusetts elementary schools. But because of insufficient Federal funding, 624 Massachusetts schools with poverty rates in excess of 30 percent received zero in Title I education aid.

That is part of the problem. In 600 schools, 30 percent of their children are Title I eligible, and they receive virtually no funding whatsoever.

This is part of our dilemma in terms of wanting to make sure there is a range of different support services, the kinds of requirements that are going to be necessary in terms of well-qualified teachers, professional development and mentoring for teachers, and after-school programs.

If we are serious about doing the job, doing it right and doing it well, we want to try to put ourselves on a glide

path to full funding of Title I. Maybe we can't reach all of the children overnight. We understand that. We ought to be able to move ourselves on a glide path so we can look at all the children and, most importantly, their parents, and say that over the life of this legislation we are going to be able to assure those parents that their children who are ineligible for the program are going to get the support and the help and assistance they need.

As you well know, Madam President, this is not the beginning of the pathway in terms of the academic achievement and accomplishment of children. We are looking against a background where the Head Start Program is funded at about 40 percent. We are going to find that some children are going to be coming up with the Head Start Programs and go into the Title I programs which are funded, and will get into supplementary services, and to the extent that these kinds of support elements make an important difference—and they do make an important difference—they are going to be helped and assisted.

But we are going to find, in the same way, that a majority of children who are otherwise eligible for Title I are not going to benefit and then will go to school and fail to get help and assistance. It is going to be extremely difficult to think we are making an important difference in their lives and enhancing their ability in reading and in math.

Almost every study and review—most recently, the Institute of Medicine review of January of this last year—talks about the development of the neurons in children's brains and the importance in these first 3 years in terms of being able to sort of stimulate the interest of the children in various kinds of activities, hoping to stir the elements in the children's brains so they open them up in ways that they will be more receptive to the learning experience—we know this medically from all of these various studies.

The Carnegie Commission report has pointed these out for the last 10 years. Yet we still do not give that kind of intervention, support, and effort that we should and that we know makes an important difference.

I think many of us are very hopeful that we can see investment in these early years, then we have further support in terms of the Head Start Program. We have further to go in funding the special needs program for children with disabilities, and further to go in terms of funding the Title I program for disadvantaged children.

As the Chair understands, we will end up actually saving resources. I know the Chair is familiar with all of the studies that were done at the end of World War II on the GI bill where they estimated that for every \$1 invested in education, the Federal Treasury got \$8 back in enhanced earnings by those who received those programs. Investing in these children, in terms of savings

and other social costs, is more than predictable. It is certain. We believe we have legislation that moves us very strongly in that direction. That is particularly why we are so strong in terms of wanting to get the funding for these programs.

For the benefit of the Members, we will consider the Wellstone amendment tomorrow and probably begin the discussion. We will have an exact unanimous consent request in a few moments.

For the benefit of the Members, as I understand it, we are coming in at about 11:00 a.m. and will be dealing with some necessary measures and we will then come back to the bill at approximately 11:30 a.m. We will have 20 minutes on the Wellstone amendment and then vote. We will follow that with consideration of the amendment of the Senator from Maine, Ms. COLLINS.

AMENDMENTS NOS. 445, 453, AS MODIFIED; 470, 473, 503, 506, 508, 598, 625, AND 631, EN BLOC

Mr. KENNEDY. Madam President, in the meantime, I have a package of cleared amendments. I ask unanimous consent that it be in order for these amendments to be considered en bloc and that any modifications, where applicable, be agreed to, the amendments be agreed to, and the motions to reconsider be laid upon the table en bloc.

For the information of the Senate, these amendments are the DeWine amendment No. 445; the Ensign amendment No. 453, as modified; the Roberts amendment No. 470; the Landrieu amendment No. 473; the Bennett amendment No. 503; the Collins amendment No. 506; the Sessions amendment No. 598; the Wyden amendment No. 625; and the Levin amendment No. 631.

The PRESIDING OFFICER. Is there objection?

The Chair hears none, and it is so ordered. The amendments are agreed to, en bloc.

The amendments (Nos. 445, 453, as modified, 470, 473, 503, 506, 508, 598, 625, and 631) were agreed to en bloc, as follows:

#### AMENDMENT NO. 445

(Purpose: To modify provisions relating to the Safe and Drug-Free Schools and Communities Act of 1994 with respect to mentoring)

On page 514, line 21, insert “, such as mentoring programs” before the semicolon.

On page 516, line 15, insert “mentoring providers,” after “providers.”

On page 517, line 5, insert “and mentoring programs” before the semicolon.

On page 537, line 10, insert “, mentoring” after “services”

On page 550, line 15, insert “mentoring,” after “mediation,”.

#### AMENDMENT NO. 453, AS MODIFIED

(Purpose: To express the sense of the Senate regarding the benefits of music and arts education)

At the appropriate place, insert the following:

SEC. \_\_\_\_ SENSE OF THE SENATE REGARDING THE BENEFITS OF MUSIC AND ARTS EDUCATION.

(a) FINDINGS.—The Senate finds that—

(1) there is a growing body of scientific research demonstrating that children who receive music instruction perform better on spatial-temporal reasoning tests and proportional math problems;

(2) music education grounded in rigorous academic instruction is an important component of a well-rounded academic program;

(3) opportunities in music and the arts have enabled children with disabilities to participate more fully in school and community activities;

(4) music and the arts can motivate at-risk students to stay in school and become active participants in the educational process;

(5) according to the College Board, college-bound high school seniors in 1998 who received music or arts instruction scored 57 points higher on the verbal portion of the Scholastic Aptitude test and 43 points higher on the math portion of the test than college-bound seniors without any music or arts instruction;

(6) a 1999 report by the Texas Commission on Drug and Alcohol Abuse states that individuals who participated in band, choir, or orchestra reported the lowest levels of current and lifelong use of alcohol, tobacco, and illicit drugs; and

(7) comprehensive sequential music education instruction enhances early brain development and improves cognitive and communicative skills, self-discipline, and creativity.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) music and arts education enhances intellectual development and enriches the academic environment for children of all ages; and

(2) music and arts educators greatly contribute to the artistic, intellectual, and social development of the children of our Nation, and play a key role in helping children to succeed in school.

#### AMENDMENT NO. 470

(Purpose: Relating to mathematics and science)

On page 344, line 9, insert “engineering,” before “mathematics”.

On page 344, line 17, strike “a” and insert “an engineering”.

On page 344, line 22, insert “engineering,” before “mathematics”.

On page 345, line 7, insert “or high-impact public coalition composed of leaders from business, kindergarten through grade 12 education, institutions of higher education, and public policy organizations” before the period.

On page 347, line 10, insert “or a consortium of local educational agencies that include a high need local education agency” before the period.

On page 347, line 18, strike “an” and insert “the results of a comprehensive”.

On page 347, line 22, strike the semicolon and insert: “, and such assessment may include, but not be limited to, data that accurately represents—

“(A) the participation of students in advanced courses in mathematics and science,

“(B) the percentages of secondary school classes in mathematics and science taught by teachers with academic majors in mathematics and science, respectively,

“(C) the number and percentage of mathematics and science teachers who participate in content-based professional development activities, and

“(D) the extent to which elementary teachers have the necessary content knowledge to teach mathematics and science;

On page 349, line 6, strike the period and insert “through the use of—

“(A) recruiting individuals with demonstrated professional experience in mathe-

matics or science through the use of signing incentives and performance incentives for mathematics and science teachers as long as those incentives are linked to activities proven effective in retaining teachers;

“(B) stipends to mathematics teachers and science teachers for certification through alternative routes;

“(C) scholarships for teachers to pursue advanced course work in mathematics or science; and

“(D) carrying out any other program that the State believes to be effective in recruiting into and retaining individuals with strong mathematics or science backgrounds in the teaching field.

On page 350, line 4, insert “engineers and” before “scientists”.

On page 350, between lines 4 and 5, insert the following:

“(9) Designing programs to identify and develop mathematics and science master teachers in the kindergarten through grade 8 classrooms.

“(10) Performing a statewide systemic needs assessment of mathematics, science, and technology education, analyzing the assessment, developing a strategic plan based on the assessment and its analysis, and engaging in activities to implement the strategic plan consistent with the authorized activities in this section.

“(11) Establishing a mastery incentive system for elementary school or secondary school mathematics or science teachers under which—

“(A) experienced mathematics or science teachers who are licensed or certified to teach in the State demonstrate their mathematics or science knowledge and teaching expertise, through objective means such as an advanced examination or professional evaluation of teaching performance and classroom skill including a professional video;

“(B) incentives shall be awarded to teachers making the demonstration described in subparagraph (A);

“(C) priority for such incentives shall be provided to teachers who teach in high need and local educational agencies; and

“(D) the partnership shall devise a plan to ensure that recipients of incentives under this paragraph remain in the teaching profession.

#### AMENDMENT NO. 473

(Purpose: To express the sense of the Senate concerning a freeze in the existing postal rates charged with respect to educational materials sent to schools, libraries, literacy programs, and early childhood development programs)

On page 893, after line 14, add the following:

#### SEC. \_\_\_\_ SENSE OF THE SENATE CONCERNING POSTAL RATES FOR EDUCATIONAL MATERIALS.

(a) FINDINGS.—The Senate finds that—

(1) the President and Congress both agree that education is of the highest domestic priority;

(2) access to education is a basic right for all Americans regardless of age, race, economic status or geographic boundary;

(3) reading is the foundation of all educational pursuits;

(4) the objective of schools, libraries, literacy programs, and early childhood development programs is to promote reading skills and prepare individuals for a productive role in our society;

(5) individuals involved in the activities described in paragraph (4) are less likely to be drawn into negative social behavior such as alcohol and drug abuse and criminal activity;

(6) a highly educated workforce in America is directly tied to a strong economy and our national security;

(7) the increase in postal rates by the United States Postal Service in the year 2000 for such reading materials sent for these purposes was substantially more than the increase for any other class of mail and threatens the affordability and future distribution of such materials;

(8) failure to provide affordable access to reading materials would seriously limit the fair and universal distribution of books and classroom publications to schools, libraries, literacy programs and early childhood development programs; and

(9) the Postal Service has the discretionary authority to set postal rates.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that, since educational materials sent to schools, libraries, literacy programs, and early childhood development programs received the highest postal rate increase in the year 2000 rate case, the United States Postal Service should freeze the rates for those materials.

#### AMENDMENT NO. 503

(Purpose: To amend the eligibility requirements for the rural education initiative to account for geographic isolation)

On page 649, line 4, strike “(1)” and insert “(1)(A)”.

On page 649, line 6, strike “and” and insert “or”.

On page 649, between lines 6 and 7, insert the following:

“(B) each county in which a school served by the local educational agency is located has a total population density of less than 10 persons per square mile; and”.

On page 651, line 3, strike “(1)” and insert “(1)(A)”.

On page 651, line 5, strike “and” and insert “or”.

On page 651, between lines 5 and 6, insert the following:

“(B) each county in which a school served by the local educational agency is located has a total population density of less than 10 persons per square mile; and”.

#### AMENDMENT NO. 506

(Purpose: To provide that funds for teacher quality activities may be used to encourage men to become elementary school teachers)

On page 319, between lines 19 and 20, insert the following:

“(12) Funding projects and carrying out programs to encourage men to become elementary school teachers.

#### AMENDMENT NO. 508

(Purpose: To amend the Small, Rural School Achievement Program to allow funds to be used for local innovative education programs)

On page 648, line 18, strike “or 4116” and insert “4116, or 5331(b)”.

On page 650, line 25, strike “or 4116” and insert “4116, or 5331(b)”.

#### AMENDMENT NO. 598

(Purpose: To encourage the study of the Declaration of Independence, United States Constitution, and the Federalist Papers)

At the appropriate place insert the following:

#### “SEC. . THE STUDY OF THE DECLARATION OF INDEPENDENCE, UNITED STATES CONSTITUTION, AND THE FEDERALIST PAPERS.

“It is the sense of Congress that—

“(1) State and local governments and local educational agencies are encouraged to dedicate at least 1 day of learning to the study

and understanding of the significance of the Declaration of Independence, the United States Constitution, and the Federalist Papers; and

“(2) State and local governments and local educational agencies are encouraged to include a requirement that, before receiving a certificate or diploma of graduation from secondary school, students be tested on their competency in understanding the Declaration of Independence, the United States Constitution, and the Federalist Papers.”

## AMENDMENT NO. 625

(Purpose: To provide a technical correction)

On page 648, strike lines 4 through 8 and insert the following:

“(1) to carry out chapter 1—

“(A) \$150,000,000 for fiscal year 2002; and

“(B) such sums as may be necessary for each of the 6 succeeding fiscal years; and “(2) to carry out chapter 2—

“(A) \$150,000,000 for fiscal year 2002; and

“(B) such sums as may be necessary for each of the 6 succeeding fiscal years.”.

## AMENDMENT NO. 631

(Purpose: To allow literacy grant funds to be used for humanities-based family literacy programs)

On page 189, between lines 17 and 18, insert the following:

“(6) PRIME TIME FAMILY READING TIME.—A State that receives a grant under this section may expend funds provided under the grant for a humanities-based family literacy program which bonds families around the acts of reading and using public libraries.

Mr. BENNETT. Mr. President, I rise in support of an amendment to the Better Education for Students and Teachers Act that will make a minor but important technical change to the Rural Education Initiative, located in Title V of the bill. The Rural Education Initiative directs funds to school districts that lack the personnel and resources needed to compete for Federal competitive grants and often receive formula allocations in amounts too small to be effective in meeting their intended purposes.

As the bill is currently drafted, districts must meet two requirements to qualify for grants under this program. One of these requirements is that the district must have less than 600 students. This requirement poses a problem for many States that have geographically large districts. For instance, in my home State of Utah, there are only 40 school districts. Compare this to States of similar or smaller geographic size, some of which have more than 500 districts. The result is that many districts in States like Utah have more than 600 students and therefore fail to qualify for rural assistance, despite the fact that these districts may be in the most rural parts of the State. I have been to these districts. If the members of this body were to travel with me to Beaver School District in Beaver, Utah, they would find it hard to dispute the fact that Beaver is a rural district. But the students in Beaver School District will not receive any assistance under the Rural Education Initiative as it is currently written.

I do not wish to argue the merits of large districts versus small districts.

The way a State chooses to run its educational system is rightly left up to State and local education authorities. However, Congress should not be in the business of penalizing States based on their educational systems.

My amendment alters the Rural Education Initiative to include an either/or provision that will allow districts to qualify in one of two ways: a district must have less than 600 students or must have a total population density of less than ten people per square mile. This minor change will allow a handful of school districts that do not currently qualify to become eligible for funding under this provision. It is important to note that no school district currently qualifying under the Rural Education Initiative will be disqualified by my amendment. However, this change will have a serious impact on places like Beaver, Utah, and on many other rural school districts around the country.

I encourage my colleagues to support this amendment.

Mr. KENNEDY. Mr. President, I thank colleagues for their cooperation.

We are going to continue to work closely with our Members to try to move this process forward, and to do it in a timely way that will permit our colleagues, obviously, to speak to these measures where necessary and permit us to dispose of the amendments where necessary. But we do want to move ahead. I have every expectation we will have an opportunity to clear additional amendments tomorrow as well.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. It is my understanding, therefore, that for the balance of the evening we will simply participate in general debate on the bill and that tonight no more amendments will be offered to the bill. Tomorrow, as the Senator from Massachusetts has represented, there will be 20 minutes of debate equally divided when we go back to the bill, at which time there will be a vote on the Wellstone amendment, followed by the Senator from Maine, Ms. COLLINS, offering an amendment.

The PRESIDING OFFICER. Is there a unanimous consent request?

Mr. GREGG. That is not a unanimous consent request. That is just a summary of where we are. We are waiting for the formal written document to make it clear that I did not make any mistakes, and pending that, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. GREGG. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GREGG. Madam President, I ask unanimous consent that when the Senate resumes consideration of the education bill on Wednesday, there be 20 minutes of debate on the Wellstone

amendment equally divided with no amendments in order to the amendment. I further ask unanimous consent that following the use or yielding back of the time, the Senate proceed to a vote in relationship to the amendment. I further ask unanimous consent that following that vote, the Senate then begin consideration of the Collins amendment No. 509.

The PRESIDING OFFICER. Without objection, it is so ordered.

## MORNING BUSINESS

Mr. GREGG. Madam President, I ask unanimous consent that there now be a period of morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GREGG. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

Mr. ENZI. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Wyoming is recognized.

Mr. ENZI. I thank the Chair.

(The remarks of Mr. ENZI pertaining to the introduction of S. 984 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. ENZI. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. SMITH of Oregon). The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. FRIST. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

## THE HIV/AIDS VIRUS

Mr. FRIST. Mr. President, I rise to speak on the 20-year anniversary of a truly remarkable event which, at the time, no one in the world would have envisioned its impact—its impact on people throughout the United States and on people throughout the world—indeed, its impact on impact. No one could have foreseen an impact which, from a public health perspective, has resulted in the single worst public health crisis since the bubonic plague ravaged Europe more than 600 years ago.

That event occurring 20 years ago today was the publication of a brief description of the first five cases of a disease that could not be explained. The five people mentioned happened to have been infected with a virus that had never previously been described, and which at the time had no name. The five people had been infected with what was later called the HIV virus,

and they died of complications associated with AIDS.

It was a case study. It was published by the CDC. At the time I was a third year surgical resident at the Massachusetts General Hospital in Boston. I remember very vaguely 20 years ago those first case reports being talked about. And it was vague. It was obscure. Nobody had any idea because that virus had never been described in the history of mankind. Nobody had ever before talked about a virus with such power to destroy—to destroy cells, to destroy cellular function, to destroy life itself: the HIV/AIDS virus.

During my surgical residency, I was involved in operating every day. At the time, we had no earthly idea that this virus would infect much of our blood supply. No one knew that it would ultimately be transformed, 5 or 6 years later, into what became known as “universal precautions,” where, for the first time, we began to treat all blood in the operating room as potentially infected or potentially toxic. We started to wear double gloves. We started to wear a mask when we operated. We took these precautions to protect ourselves—not our patients. This all occurred within a few years after these initial five cases were described. It changed the practice of medicine.

I had the opportunity earlier today to meet a wonderful person, a person whom I had previously only heard about. Her name is Denise Stokes. She has a wonderful voice and a wonderful story. The story was told to me and many others today.

Denise was infected with the HIV virus at the age of 13. Shortly after her infection was identified, she became active in the struggle against the virus. She described her many experiences in an intensive care unit. She described what it was like not to have access to available drugs. She talked about watching, in the depth of her illness, as policymakers talked about AIDS on television. She wondered whether at any point they would be able to respond to what has become the largest, most significant public health challenge in our lifetimes, in the last century—perhaps in the history of the world.

She talked about saying a silent prayer that hopefully there would be a cure someday. She talked about her hopes that someday she, by sharing her experiences, could become a catalyst for ultimately discovering a cure for HIV/AIDS.

Denise helped to put a face on heterosexual HIV infection in the 1980s. She was instrumental in gaining access to African-American churches in the early 1990s. As I said, she was infected when she was 13 years old. She is now 31. She talks to college students, community groups, and professional organizations sharing her story, a story that is powerful, a story that puts a face on HIV/AIDS.

No one 20 years ago, or even 15 years ago, would have ever guessed that this

disease would become the single worst public health crisis in over 700 years.

People ask: What do we think about this virus now 20 years later? The Kaiser Family Foundation, in a very recent survey, showed two things about Americans' thinking: No. 1, they see AIDS is the most urgent international health issue; and, No. 2, after cancer, Americans view HIV/AIDS is the most urgent health issue here at home.

And the American public is right on target. We have learned a great deal about this disease over the last 20 years. We know how to prevent it. We have fairly effective drugs and treatment therapies today for treating HIV and AIDS-related infections. They work in most cases if they are available and if they are taken properly.

Over the last 20 years—remember, this virus was not around 21 years ago—AIDS has become a very effective killer. About 8,000 people will die somewhere in the world today from this virus, this single little virus that 21 years ago, to the best of our knowledge, had killed no one.

Its impact has been tremendous. Consider the research field—speaking as a physician and medical scientist, I can say that in 1981 we had no drugs to treat this virus. About 6 years later, we had six or seven drugs. Now, we have about 65 drugs to treat this virus. In spite of that, as I said, it is killing about 8,000 people a day.

One thing that gives us some hope is the great boldness, the genius of our research industry—both the public sector through NIH and the private sector through the pharmaceutical companies—where there are today over 100 drugs in the pipeline to combat HIV/AIDS.

Our successes have been many. We have reduced the incidence of mother-to-child transmission thanks to counseling, voluntary testing, and AZT for pregnant women. New HIV infections have declined sharply. The Ryan White CARE Act, which originated in the Congress, supports care for over 100,000 people who otherwise would not be able to afford therapy. The drugs have doubled their life expectancies. That's a tremendous success. It has cut in half the average length of stay for HIV-related hospitalizations.

This body, I am proud to say, has responded to the changing face of HIV/AIDS, in the communities where it appears. For example, last year Congress expanded the reach of the Ryan White CARE Act to include a wider range of communities. We created supplemental grants for emerging metropolitan communities that previously had not been affected and in the past did not qualify for such funding.

The expansion in the program will benefit such places as Nashville, TN, where the Comprehensive Care Center, led by Dr. Steve Raffanti, has served more than 3,000 patients over the last 6 years, and is currently following almost 1,900 patients, 40 percent of whom fall below the poverty level.

How? The Congress first authorized the Ryan White CARE Act ten years

ago and we reauthorized it five years ago and then again last year.

Congress has also responded with increased funding. Ryan White funding is now at a level of \$1.8 billion a year. That is not double what it was when we started, or tripled, or quadrupled. It is 7 times what we initially put into the funding of the Ryan White Care Act.

But there is so much more to be done. There are 500,000 to 600,000 Americans living with the HIV infection and another 320,000 people with AIDS. We have reduced the number of new infections from 150,000 a year down to 40,000 a year. That is tremendous progress, but it is not acceptable. 40,000 new infections per year is one new infection every 13 minutes, 24 hours a day, 365 days a year.

Our loved ones are at risk. Even worse, there are some new danger signs on the horizon. The progress and the advances that have been made appear to have created an element of complacency. Surveys indicate today that 80 percent of our young people do not believe they are at risk for HIV infection. Such ignorance and complacency breeds inaction, less prevention, and, ultimately, more infections.

Last week, the CDC featured a report which cited a frightening increase in HIV incidence for young African-American gay and bisexual males. In Tennessee, the number of HIV/AIDS infections increased by a startling 35 percent over the 2-year period of 1998 to the year 2000. We simply cannot allow this increase in the number of infections. We cannot allow a new wave of infections in our country. All of this is a call to arms, a call to arms for all of us as citizens of our communities, as Americans, and as citizens of the world.

As we were talking this morning, Denise talked about initially withdrawing within herself as the virus infected her at age thirteen. As she grew older, she started to reach out—first, to her community; later, to policy makers.

Denise should be an example for all of us. We have a moral obligation to reach out within our communities and beyond, to the United States of America and beyond. We need to reach out to the entire world. Indeed, as troubling as the trends are in this country, they pale beside the staggering disaster of HIV/AIDS in the developing world, especially in sub-Saharan Africa.

The historical enemies of human beings—and we all know what they are: war, famine, natural disasters, persecution—today are dwarfed by the global epidemic of HIV/AIDS. The crisis is one of public health. The crisis is one of developmental economies. The crisis is one of humanitarian outreach.

The global statistics of HIV/AIDS are chilling. I just mentioned that an American is infected with HIV/AIDS every 13 minutes. During that same 13 minutes, 72 people will die of HIV/AIDS somewhere in the world. Twice that number will become newly infected.

I have had the opportunity to serve on the Foreign Relations Committee. In that committee, I chair the Africa subcommittee. I have had the opportunity to travel to Uganda, to Kenya, to the Congo, to the Sudan. I have had the opportunity to perform surgery in hospitals in the last several years where HIV infections among patients run as high as 50 percent. When you travel to Africa, just as Secretary Powell did 2 weeks ago, you see that Africa is losing an entire generation. It is that middle generation that is being wiped out. It is that working generation that is being wiped out. It is the parenting generation that is being wiped out.

How many orphans result? How many devastated families? How many impoverished villages? How many ruined economies?

The good news is we know a lot about how to reverse the epidemic through a combination of political commitment—I am speaking to my colleagues and to the political leadership of others around the world—of donor support—again, I am speaking to those both inside and outside government who are in a position to contribute—and of newly committed leadership in countries being devastated by the disease. Those three elements, in places such as Uganda, Senegal, and Thailand, have had remarkable successes.

On the ground in these countries, work by community-based organizations, both religious and secular, has been the linchpin of success.

It is very important that we not separate prevention from care and treatment. Science has not yet found a cure. There is no vaccine for HIV/AIDS. Not yet. It will be 5 years, or 7 years, or 10 years maybe more. I am not sure if it will even be a vaccine. It may be a highly effective treatment. One of the many problems of this virus is, once it gets into the memory system of the cells of the human body, those cells stay there for decades, 60 and 70 years. That's just one of the challenges for our research community.

Recent action by the pharmaceutical companies to slash prices on antiretrovirals for poor countries has done two things. First, it sends the message of hope. Second, it puts a spotlight on the necessity of establishing an infrastructure of health care to be able to engage in prevention and care and treatment.

Access to treatment and drugs for opportunistic infections such as tuberculosis is also critical. For all the damage that HIV/AIDS does, tuberculosis kills more people in Africa with AIDS than any other opportunistic infection.

Creation and ongoing support of public health infrastructure, of health care delivery systems, including personnel training, is essential to effective treatment and education programs.

What more should we do to address this challenge?

The reason I am discussing this tonight is that 21 years ago, before the

first case studies, we had no idea of the catastrophe of this pandemic which now travels across the world. I have spoken a lot about Africa in the last few minutes; and there is increasing public awareness of the magnitude of the disaster there. When I ask which single country in the world has more HIV/AIDS cases than any other, most of my colleagues and those listening would guess a country in Africa. That's wrong. It is believed that India now has more cases than any other country.

If I ask what country in the world has the fastest growth rate in HIV/AIDS, again, most would guess an African country. That's also probably wrong. We think it's Russia. Frankly, we're not sure because public health information is so poor in most of these places.

There is no debate that no region of the world is more affected than Africa. But guess which region is second; it's the Caribbean.

This is truly a global challenge. The price tag for an effective response is staggering. Billions of dollars are going to be required. The United Nations estimates that \$3 to \$5 billion will be required in Africa alone. \$3 to \$5 billion to develop an appropriate human and physical infrastructure to address this challenge. Governments must respond. Legislatures like ours, the executive branch, and the governments of the world are the only ones able to commit the resources needed.

New public-private partnerships that draw on our creativity must be developed to implement the strategies that are put forward.

The United States has taken real leadership on this issue. Although we often are criticized by other nations, we need to make it clear that the United States right now is contributing about half the funds that the entire world is currently spending internationally to fight the problem.

We spend more than anyone on research and on education. We spend more than anyone on treatment of HIV/AIDS. We spend more than anyone to help the rest of the world deal with this problem. Indeed, U.S. foundations alone have contributed more money to attack this problem than most other governments.

This does not mean that we are the only ones doing our part. Other nations, the United Nations, the World Bank, corporations, and philanthropies have been joining together, particularly over the past year.

President George W. Bush, just 3 or 4 weeks ago, took a real leadership position, committing \$200 million, the first country to do so, to a global fund to combat AIDS.

Secretary of State Colin Powell, on his recent return from Africa, said:

There is no war that is causing more death and destruction . . . that is more serious . . . than the war in sub-Saharan Africa against HIV/AIDS.

I will close with seven steps we can take to engage this war:

No. 1. United leadership. We should ask the political, religious, and business leaders of the world to unite in joining the international commitment to halt the spread of HIV/AIDS and to help those afflicted with the disease. They should commit both financial and human resources to the fight.

No. 2. A global fund. I mentioned and commended President Bush's commitment to this global international fund for HIV/AIDS, tuberculosis, and malaria. This should not be an American fund. It should not even be a United Nations fund. It should be a global fund that represents a new way of doing business—transparent and responsive. Traditional donors such as European countries, Japan, and others, as well as the business community, foundations, and other institutions of civil society should all be participants in this fund.

In the very near future, I intend to offer legislation authorizing U.S. contributions to this new global fund, this new way of doing business.

No. 3. Swift funding. We should put nongovernmental and community-based organizations, both religious and secular, at the forefront of the action on the ground by getting funds to them quickly so they can most effectively do their jobs reaching out. We know they have an enormous impact, and speed saves lives.

No. 4. Partnerships. We should encourage and empower coalitions and partnerships of governments, universities, academies, research institutions, multilateral institutions, corporations, and the nongovernmental organizations to come together as partners, as coalitions, to help fill the gap between the available resources and the unmet needs of prevention, care, and treatment. Each member of the partnership brings a unique contribution to the battle.

No. 5. Research. We should make absolutely certain that international research efforts on disease affecting poor countries—and that includes AIDS, malaria, and tuberculosis—are reinforced in a manner that assures the best scientific research in the world can lead to real benefits for the developing world at a cost they can afford.

We should continue to aggressively support and encourage research into vaccines and treatments in both private and public institutions like the National Institutes of Health. The Senate has recently supported the doubling of funding at the NIH over 5 years. We should also give new financial incentives for private research. The pharmaceutical companies are doing tremendous research in the field of HIV/AIDS, but more is needed.

There are numerous vaccines currently under investigation. Their success will be measured in millions of lives saved. Just think of it.

No. 6. Prevention, care, and treatment. I already mentioned that prevention needs to be tied to care and treatment. I am very excited about new low-cost options which can link care and treatment with prevention over time.

No. 7. And I will close with this—is hope. As I talked with Denise Stokes today, I was struck by her remarkable enthusiasm, her optimism, and her commitment to teaching others about this disease which changed her life from the age of 13.

The most remarkable thing to me, as I listened to her and learned that she was just in the emergency room 2 days ago, was the simple fact that here she was talking to a large crowd of people with her story. She was sharing what was inside, reaching out broadly to people from all over the world, bringing her special message which can be summed up in one word: “hope.”

We should do all we can to provide comfort and care to families all over the world today. We should address the issue of the orphans created by this terribly destructive disease. We have a moral responsibility to give them hope.

Yes, the challenge is before us—a moral challenge, a humanitarian challenge. There has never before been such a challenge in terms of sheer magnitude.

As Americans, it is natural to reach out to those around us, domestically, to give a helping hand. Now we must join with other nations to extend our helping hand further to create a better world, a safer world, and a more fulfilling world. We do that here at home with boldness, genius, and creativity, along with a healthy dose of courage, persistence, and patience. Let us now rise to the global challenge as a compassionate people in a great and compassionate nation.

#### COMMEMORATING TWENTY YEARS SINCE THE FIRST DIAGNOSES OF AIDS

Mr. DASCHLE. Mr. President, I rise to commemorate the beginning of a tragic chapter in human and medical history. Twenty years ago today the first cases of AIDS were diagnosed. Since that initial diagnosis in 1981, the toll wreaked upon humanity by this disease is mind boggling. Twenty-two million people have already died. And an additional thirty-six million people have become infected with HIV, the virus that causes AIDS.

In 1981, no one imagined the impact HIV/AIDS would have in the ensuing two decades. And, unfortunately, no one would have imagined that the United States would be as slow as it has been to respond to what has become a grave international crisis.

International public health experts estimate that the global fight against AIDS demands at least \$7 billion per year. Meanwhile, in the last 15 years combined, the United States has invested only \$1.6 billion or a little over \$100 million per year to fight this pandemic. In 1999, a year during which nearly five and a half million people in Africa alone were newly infected, the United States invested just \$142 million, less than .001 percent, of our foreign assistance budget that year, to fight AIDS.

Too much time has been lost, and too little leadership has been demonstrated by America. President Bush, Vice President CHENEY, and Secretary Powell have indicated they now recognize this pandemic for what it is: a national security threat. It is time that we begin dedicating the resources that such a threat demands.

In recent months, some progress has been made in combating AIDS. Governments, foundations, and corporations have begun to pledge donations to the Global Trust Fund to fight AIDS. Drug producers have also begun to make AIDS treatment more affordable for the more than 25 million HIV-positive Africans. But much more remains to be done.

However, the activities of the Global Trust Fund should not and cannot replace our bilateral efforts to bolster the health infrastructure of the countries struggling against this pandemic. Therefore, Congress can take three important steps to bolster our bilateral efforts and invest in the health care workers and researchers needed in the affected countries.

First, Congress must provide the resources needed for increased training of public health workers on the ground.

Second, Congress must increase spending on research in Africa—and insist that research dollars spent in these countries also go to the development of indigenous research capabilities.

And third, Congress must try to create the incentives necessary to stop the steady outflow of African doctors and nurses from these ravaged countries.

It is time to act. We have already lost two decades and tens of millions of lives to this deadly disease. We cannot afford to wait another two decades before we confront this disease with the dedication it demands.

Mr. KENNEDY. Mr. President, today marks the 20th year since the Centers for Disease Control and Prevention first published information in the Morbidity and Mortality Report on this illness we now call HIV/AIDS. The past 20 years have seen immense loss, as well as significant medical advances, and this anniversary is a fitting time to renew the worldwide call for stronger action in the battle against this devastating global epidemic.

Tragically, current reports from the CDC and from the Retrovirus Conference in Chicago indicate that the transmission of HIV is increasing among our youngest citizens. At least 50 percent of new infections in the U.S. occur in those under 25 years of age. Clearly, we can do more to combat this serious challenge that threatens to blight the lives of many of the Nation's youth.

Our concern extends far beyond America's borders. President Bush has pledged \$200 million for HIV/AIDS internationally, but we need to do far more, especially to help combat this massive HIV/AIDS crisis in developing nations. From orphaned children, to

untrained workforces, to destabilized economies, the realities of HIV/AIDS in third-world nations are harsh. Today, nearly 40 million people worldwide continue to live with HIV/AIDS.

Dealing more effectively with this global epidemic requires a stronger commitment from all of us both in Congress and in the administration, so that medical advances will benefit as many people as possible worldwide. The United States can set a proud example for the world community in dealing with HIV/AIDS by doing all we can to provide the resources needed for effective prevention programs, good treatment for those suffering from HIV/AIDS, and the development of a cure that will finally conquer it and save the lives of millions.

Mr. SMITH of Oregon. Mr. President, I rise today to note the 20th anniversary of the passing of a constituent of mine . . . one of the five original deaths cited by a CDC report published 20 years ago today. Though the 553-word article only outlined a rare type of pneumonia—it also noted that the same strain had struck five gay men in Los Angeles, California. One of those five men in Los Angeles was an Oregonian and I stand here today to mark this somber anniversary.

The world marks this date, June 5, 1981 as ground zero for the AIDS epidemic. Those early days marked a panic among urban populations of gay men, who at first made up the bulk of early AIDS cases. It wasn't until 1984 that researchers identified the AIDS virus, and throughout the 1980s much of the gay community's efforts were focused on organization and education, which became the hallmark for the early fight against AIDS. As this Nation all too slowly awakened to this epidemic, much of the groundwork had been laid by a community devastated by this disease. Slowly funding on the Federal level grew, and by the mid 1990s new drugs slowed but did not stop the progression of the disease.

Today 36 million people are HIV-positive: almost a million in the United States alone, and almost a third of them don't know they have HIV. AIDS is the fourth leading cause of death globally and the leading cause of death in Africa. The statistics in that continent are mind-numbing—in some countries, one of four adults are living with HIV/AIDS. Life expectancies in those countries over the next five years have been slashed from the mid-60s to the early forties. Cumulative deaths attributable to AIDS on that continent numbered over 13 million by 1999, and the number of children orphaned by AIDS is estimated between 7 and 10 million. An estimated 1 million children in Africa are HIV-positive.

There were about 5,000 cases of AIDS in Oregon last year, and the National Institutes of Health allocated over \$16 million to universities and other institutions in the state to conduct research for the treatment of HIV/AIDS. In addition the government provided



about \$800,000 in grants under the Housing Opportunities for Persons with AIDS program.

But this day is not one solely devoted to statistics about this disease. Though the numbers are mind-numbing, sometimes the most devastating loss is measured in terms of those who contributed to our culture, our society, through literature, sports, public service and private business. AIDS has created a loss for our society in terms of books not written, music not played, business left undone, research undiscovered—put simply—lives not lived. On this somber anniversary I stand here on the Senate floor to note that one of the first was an Oregonian, a man named “Chuck” whose medical history is annotated in a CDC report released twenty years ago. Today’s Washington Post noted only a sliver of his life—that he was from Oregon and that he had a penchant for wearing cowboy boots. Chuck has been dead for 19 years.

#### DRUG ENFORCEMENT ADMINISTRATION

Mr. GRASSLEY. Mr. President, as chairman of the Senate Caucus on International Narcotics Control, I rise today to compliment the men and women of the Drug Enforcement Administration, DEA. As chairman, I have watched these American heroes work day and night on the front lines of the struggle against international drug trafficking.

DEA’s mission is to identify, target, and dismantle the most powerful drug syndicates operating around the world that smuggle their poison into American communities. These syndicates are far more powerful and violent than any organized criminal groups that American law enforcement has yet encountered. Unlike traditional organized crime, these 21st century crooks operate globally with transnational networks to conduct illicit enterprises simultaneously in many different countries.

The drug traffickers whom DEA faces pose nothing less than a foreign threat to the national security of the United States. International trafficking groups today have at their disposal the most sophisticated communications technology and their arsenal includes radar-equipped aircraft, advanced weaponry, and an army of workers who oversee the drug business from the source zones to the urban areas and rural locations within the United States. These drug traffickers reach even into my home State of Iowa, in America’s heartland. Local, rural police and sheriffs departments must now deal with international organized crime.

All of this modern technology and these vast resources enable the leaders of international criminal groups to build organizations that, together with their surrogates operating within the United States, reach into all parts of

America. The leaders of these crime groups use their organizations to carry out the work of transporting drugs into the United States, and franchise others to distribute drugs, thereby allowing them to remain beyond the reach of American justice. Those involved in international drug trafficking often generate such tremendous profits that they are able to corrupt law enforcement, military and political officials overseas in order to create and retain a safe haven for themselves. DEA’s focus on international trafficking organizations makes that agency a critical and effective weapon in countering this threat to our way of life, here and abroad.

The threat posed by Colombian drug traffickers is particularly dire. The international drug syndicates headquartered in Colombia, and operating through Mexico and the Caribbean, control both the sources and the flow of many dangerous drugs into the United States. The vast majority of the cocaine entering the United States continues to come from the source countries of Colombia, Bolivia, and Peru. For the past two decades—up to recent years—criminal syndicates from Colombia ruled the drug trade with an iron fist, increasing their profit margin by controlling the entire continuum of the cocaine market. Their control ranged from the wholesale cocaine base production in Peru, Bolivia, and Colombia, to the cocaine hydrochloride, HCL, production and processing centers in Colombia, to the wholesale distribution of cocaine on the streets of the United States.

In response to this threat, the DEA carries out cutting-edge, sophisticated investigations like Millennium and White Horse which have led to the dismantling of major portions of the most significant drug trafficking organizations operating not just out of Colombia, but throughout the world. DEA’s accomplishments could take hours to review in detail, but let me mention just a few here today.

In 1999, Operation Millennium successfully targeted major traffickers who had previously operated without fear of capture or prosecution in the United States, believing that only their low-level operatives were at risk. This enforcement operation effectively demonstrated that even the highest level traffickers based in foreign countries could not manage drug operations inside the United States with impunity. Operation Millennium was made possible by direct support from the governments of Colombia and Mexico, and underscore the importance of cooperation among international drug law enforcement agencies.

In November 2000, DEA, FBI, and U.S. Customs culminated an 18 month investigation targeting a multi-ethnic, transnational MDMA, Ecstasy, and cocaine distribution organization, following up on enforcement action by Dutch police in the Netherlands. The investigation, known as Operation Red

Tide, was a textbook example of the new multi-agency, multi-national law enforcement cooperation needed to thwart organized crime in the 21st Century. As a result of this cooperative effort, 1,096 pounds, 2.1 million tablets, of MDMA, the largest single seizure of the drug in history, were seized by U.S. Customs agents. The head of the organization, Tamer Adel Ibrahim, fled the U.S. after the seizure, but was quickly traced to Mexico and then to Europe by the multi-agency team. Ibrahim, along with others, were arrested and 1.2 million tablets of MDMA were seized by the Dutch National Police.

Cases similar to Operation Red Tide exemplify the unprecedented level of international law enforcement cooperation in effect today. The investigation targeting the transnational MDMA and cocaine trafficking syndicate was a cooperative effort by the U.S. law enforcement agencies, as well as the Dutch National Police/Regional Team South, Mexico’s Fiscalía Especializad Para La Atencion De Delitos, FEADS, the Israeli National Police, the German Federal Police, Bundes Kriminal Amt, the Cologne, Germany Police Department, the Duisburg Germany Police Department, the Italian National Police and the French National Police.

This investigation is extremely important because MDMA, Ecstasy, is a new threat with a potential to cause great damage, especially to America’s youth. Operation Red Tide has ensured that a large volume of ecstasy that would have made it into the hands of our youth never hit the streets. It has sent a strong message to the traffickers that the United States and DEA is leading a global response to the drug threat.

Last December, the DEA, again together with U.S. Customs and the FBI, completed Operation Impunity II, resulting in 82 arrests and the seizure of 5,266 kilograms of cocaine, 9,708 pounds of marijuana, and approximately \$10,890,295 in U.S. currency. Impunity II follows earlier successes dating back to 1996 in Operation Limelight and Operation Impunity I—and was the result of the outstanding coordination between Federal, State, and local law enforcement officials and prosecutors across the country.

Operation Impunity II was a multi-agency law enforcement program that targeted a wide ranging conspiracy to smuggle thousands of pounds of cocaine and marijuana from Mexico, across the southwest border into Texas, for distribution throughout the United States. The organization placed managers in the United States and retained the organizational command and control elements in Mexico. In addition to remnants from the Carrillo-Fuentes organization, U.S. agents learned that some members of the Mexican Gulf Cartel had also become associated with the organization, including Osiel Cardenas-Guillen, allegedly a former Gulf Cartel lieutenant.

You may remember that Cardenas-Guillen is also charged with assault on an FBI agent and a DEA agent in Matamoros, Mexico, on November 9, 1999. Clearly this operation sends a clear signal that if traffickers threaten or harm a federal agent, they will not get away with impunity.

In January of this year, Operation White Horse targeted a large scale heroin trafficking organization, directed by Wilson Salazar-Maldonado, which was responsible for sending multi-kilogram quantities of heroin from Colombia to the Northeastern United States via Aruba. The investigation was conducted jointly by the Colombian National Police, DEA Bogota, Curacao, Philadelphia and New York, and the Special Operations Division. This investigation resulted in 96 arrests, as well as the seizure of multi-kilograms quantities of heroin and cocaine, weapons and U.S. currency.

DEA remains committed to its primary goal of targeting and arresting the most significant drug traffickers in the world today. Their successes include not only the operations I just mentioned, but also the historic destruction of the Cali and Medellin Cartels. DEA meets the ultimate test of bringing to justice the drug lords who control their vast empires of crime, which bring misery to so many nations. As we sustain a relentless assault against drug traffickers, we must insist that these drug lords be arrested, tried and convicted, and sentenced in their own countries to prison terms commensurate with their crimes, or, as appropriate, extradited to the United States to face justice in U.S. courts. I hope other Senators will join with me in acknowledging the fine work by DEA, and in supporting their efforts in the future.

#### MUSCULAR DYSTROPHY COMMUNITY ASSISTANCE, RESEARCH AND EDUCATION AMENDMENTS OF 2001

Mr. REID. Mr. President, S. 805, introduced on May 1, 2001 by Senator WELLSTONE, is a vital step toward the day when advanced research will find ways to halt, and even cure, the maladies of muscular dystrophy.

Muscular dystrophy is a genetic disorder—actually, nine separate genetic disorders that cause wasting of muscle tissue throughout the body. One-quarter of a million Americans of all ages suffer from the disease. One form of it, Duchenne's, strikes young boys, and usually takes their lives before they reach their twentieth birthday. All forms of it are disabling and costly.

Since 1966, the entertainer Jerry Lewis has conducted a telethon on Labor Day, calling the nation's attention to muscular dystrophy, and asking help for its victims and their families. The Muscular Dystrophy Association, which Jerry Lewis chairs, has raised hundreds of millions of dollars for the treatment and relief of this disease. It

supports over two hundred clinics, and makes wheelchairs and braces available to people suffering from muscular dystrophy.

Part of the money the association raises—about \$30 million yearly—goes to support research projects. But for the breakthroughs to occur that will enable scientists not just to treat, but to halt the disease, research funding must be substantially increased. This is the purpose of S. 805.

S. 805 calls upon the National Institutes of Health (NIH) and the Centers for Disease Control to establish Centers of Excellence, in which intensified clinical research can be conducted that will speed the discovery of cures for the various forms of muscular dystrophy. This legislation would provide the Director of the NIH, and the Directors of the several institutes within the NIH where research into muscular dystrophy is being conducted, with authority and responsibility to concentrate and intensify that research effort, with the funds needed to conduct clinical trials. In short, it gives NIH the organization and the mandate to exploit recent advances in gene therapy. The goal is the swiftest possible rescue for children and adults whose lives will otherwise be lost or badly damaged by muscular dystrophy.

The Congress has responded generously and often to the demand for research funding aimed at other diseases that shorten or impair the lives of Americans. It is time to add muscular dystrophy to the list of those diseases. I commend my colleagues for introducing S. 805, and I ask that my name be added as a cosponsor of the bill.

#### LOCAL LAW ENFORCEMENT ACT OF 2001

Mr. SMITH of Oregon. Mr. President, I rise today to speak about hate crimes legislation I introduced with Senator KENNEDY last month. The Local Law Enforcement Act of 2001 would add new categories to current hate crimes legislation sending a signal that violence of any kind is unacceptable in our society.

I would like to describe a heinous crime that occurred August 11, 2000 in New York City. A 17-year-old, who announced to his parents he was gay earlier this year, was recovering after his parents severely beat him. Police say that Hendrick Paterson, 49, and Sharon Paterson, 36, allegedly repeatedly smashed their son with a lead pipe at a relative's home as they yelled anti-gay slurs. "God will punish you for your lifestyle!" "You can't be gay," the couple is quoted as saying. The son was rushed to the hospital where he was treated and released for multiple welts to his body.

I believe that government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act of 2001 is now a symbol that can become substance. I believe

that by passing this legislation, we can change hearts and minds as well.

#### THE MIDDLE EAST PEACE PROCESS

Mr. CLELAND. Mr. President, the latest round of violence in the Middle East has dealt more pain and suffering to the people of that region, as well as another blow to the peace process. And though I remain firmly convinced that a final status agreement—which provides firm and enforceable security guarantees for Israel—remains not only the most desirable way out of the cycle of violence but indeed the only way to achieve lasting peace and security for all of the people in the region, the fundamental problem at present is whether or not Yasir Arafat is capable of ever becoming a reliable partner in the peace process. The answer, as unfortunate for future generations of Palestinians as for Israelis and for all of those who crave peace in the Middle East, would seem to be an emphatic NO, as indicated by his dismissal of the historic compromise offered by then-Israeli Prime Minister Ehud Barak late last year. Unless and until Chairman Arafat, or a successor, can demonstrate the capacity to make peace as well as war, the outlook for the Middle East peace process will remain bleak.

Thomas Friedman makes this case effectively and forcefully in a May 22 editorial in the New York Times, entitled "It Only Gets Worse." I ask unanimous consent that the Friedman editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the New York Times, May 22, 2001]

IT ONLY GETS WORSE

(By Thomas L. Friedman)

The long-awaited Mitchell commission report about Israeli-Palestinian violence was released yesterday, and now there is a debate over what to do with its recommendations. I have a suggestion. It's kind of a two-for-one deal. Take all the Mitchell reports, make a big pile out of them, and set them ablaze into a gigantic bonfire. It would surely generate enough heat, and light, to make a small contribution to the Bush energy plan.

Am I being unfair? Yes, just a bit. George Mitchell is a good man, and the central argument of his report is right, in the narrowest sense: If you want to stop the latest Israeli-Palestinian slide into the abyss, first there must be a cessation of all violence, and then confidence-building steps, including a settlements freeze and Palestinian security measures.

My problem with the Mitchell report is that it fundamentally ignores how we got into this abyss and the only real way out. It is not because of Israeli settlements. The settlements are foolish, and their continued expansion is a shameful act of colonial coercion that will meet the fate of all other colonial enterprises in history. The inability of American Jewish leaders or U.S. governments to speak out against settlement expansion—which should be stopped under any conditions for Israel's sake—is a blot on all of them.

But the settlements are not the core problem. The core problem right now is Yasir

Arafat—the Palestinian leader who cannot say “yes” and will not say “uncle.”

President Bill Clinton and Prime Minister Ehud Barak put on the table before Mr. Arafat a historic compromise proposal that would have given Palestinians control of 94 to 96 percent of the West Bank and Gaza—with all the settlements removed, virtually all of Arab East Jerusalem, a return to Israel of a symbolic number of Palestinian refugees and either the right of return to the West Bank and Gaza or compensation for all the others.

Not only would Mr. Arafat not take it, he would not even say: “Well, this was insufficient, but this is the most far-reaching and serious proposal Palestinians have ever seen. Now, I want to enter into a dialogue with the Israeli people and government to see if I can get them to 100 percent.”

No, instead, Mr. Arafat launched this idiotic uprising. He did so because he is essentially a political coward and maneuverer, who apparently has not given up his long-term aim of eliminating Israel and who was afraid in the short run that if he took 99 percent, he would be killed for the 1 percent he left on the table. Mr. Arafat has never been willing to tell his people he got them most of what they wanted and now is the time to end the suffering of as many Palestinians as possible and move on.

This truth is what the Mitchell “investigation” should be telling the world and the Palestinians. There was an Israeli leader, and a slim Israeli majority, for a fair historic compromise. But there was no Palestinian equivalent, and unless there is a Palestinian partner, and a Palestinian leader, for a historic compromise roughly along the Clinton lines, no cease-fire is going to hold. The best Hebrew biography of Israeli Prime Minister Ariel Sharon is entitled “He Doesn’t Stop at Red Lights.” Mr. Arafat’s biography should be entitled “He Doesn’t Go at Green Lights.”

Now Mr. Sharon—who was elected in the Israeli backlash against the failure of Camp David—is trying to pummel Mr. Arafat into submission. That won’t work either. Because Mr. Arafat is as afraid to say “uncle” to Sharon as much as he was afraid to say “yes” to Clinton. He fears he would be killed for saying uncle as much as he would be killed for saying yes to 99 percent. The Palestinians will never be bombed into submission. One hundred years of Palestinian history tells you that.

The real problem is that the Palestinians are leaderless today, and that is what the U.S., the U.N. and the Arab would have to face up to. Deep down, they all know it and they admit it to each other in private. There is no Palestinian leader right now willing or able to say yes to a fair historic compromise, and we simply fool ourselves with commissions that don’t acknowledge that. Unless the Arabs can stiffen Mr. Arafat by supporting him in any grand compromise, or by creating a context in which an alternative leadership can emerge, this bonfire will rage on and it will consume many, many others.

#### THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Monday, June 4, 2001, the Federal debt stood at \$5,668,781,838,668.70, five trillion, six hundred sixty-eight billion, seven hundred eighty-one million, eight hundred thirty-eight thousand, six hundred sixty-eight dollars and seventy cents.

Five years ago, June 4, 1996, the Federal debt stood at \$5,139,964,000,000, five trillion, one hundred thirty-nine billion, nine hundred sixty-four million.

Ten years ago, June 4, 1991, the Federal debt stood at \$3,489,526,000,000, three trillion, four hundred eighty-nine billion, five hundred twenty-six million.

Fifteen years ago, June 4, 1986, the Federal debt stood at \$2,053,350,000,000, two trillion, fifty-three billion, three hundred fifty million.

Twenty-five years ago, June 4, 1976, the Federal debt stood at \$606,178,000,000, six hundred six billion, one hundred seventy-eight million, which reflects a debt increase of more than \$5 trillion, \$5,062,603,838,668.70, five trillion, sixty-two billion, six hundred three million, eight hundred thirty-eight thousand, six hundred sixty-eight dollars and seventy cents during the past 25 years.

#### ADDITIONAL STATEMENTS

##### RECOGNIZING THE 90TH BIRTHDAY OF LILLIAN WALLACE

• Mr. REID. Mr. President, today I pay tribute to one of Nevada’s finest ladies, Lillian Wallace. Born in New Haven, CN on June 13, 1911. Lillian attended P.S. 132 and graduated from George Washington High School. In 1941, she joined the Army Medical Corps as a general clerk and was promoted to head of the Medical Supply Division. Having a life long desire to see California, Lillian moved there after the war and met her future husband, Julian. They drove to Las Vegas to wed in 1947 and later became residents of Nevada. Together, they devoted their lives to helping those who needed help, particularly senior citizens. They worked with the Mobile Home Owners League of the Silver State, an organization that fights for the rights of mobile home owners. Lillian also gave her time to Hadassah and the City of Hope Medical Center.

In 1982, she and Julian took a floundering group called Seniors United, and turned it into one of the most formidable seniors advocacy groups in Nevada. Lillian created the Senior Highlights magazine and has been the editor for 17 years. She takes great pride in choosing articles that are of interest and educational to our senior population. She believes in promoting the positive aspects of government and giving government officials a chance to meet with Seniors United members to discuss the issues. Lillian has always believed that education is the key to getting people to respect their government and get involved.

Lillian lost her beloved husband and soulmate last year. Moving forward alone has been one of her greatest challenges in life, but she looks to the future and continues to help seniors in need and work on the expansion of Seniors United. Her contributions to the seniors of the State of Nevada are legend and the honors she has received are too numerous to mention. I ask my colleagues to join me in wishing this

grand dame of Nevada a happy 90th birthday.●

#### WE THE PEOPLE

• Mr. DAYTON. Mr. President, We the People . . . The Citizen and Constitution program, administered by the Center for Civic Education, has provided curricular materials at upper elementary, middle, and high school levels for more than 26.5 million students nationwide. The program provides students with an in-depth, working knowledge of our Constitution, the Bill of Rights, and the principles of democratic government. Members of Congress and their staff enhance the program by discussing current constitutional issues with students and teachers, as well as by participating in other educational activities.

The class from Stillwater High School, in Stillwater, MN, took part in the program’s national competition here in Washington, D.C., April 21st–23rd, 2001. I would like to thank the students, Lindsay Jasicki, Leah Abbe, Aaron Williamson, Patrick Hueller, Anders Johnson, Stephanie Ebner, Aaron Ulland, Lee Howard, Jessica McGlaufflin, Kyle Ellefson, Jeffrey Morency, Jordan Hild, Rebecca Siemers, Patrick Horst, Blake Rasmussen, and David Hoffman and their teacher, Ms. Kathleen Ferguson, for representing Minnesota at this prestigious event. To reach this level of competition demonstrates a tremendous knowledge of the essential ideals and values of the American constitutional government. My staff and I wish these young “constitutional experts” the best of luck in the future.●

#### S.C. LIBRARY HONORED

• Mr. HOLLINGS. Mr. President, It is official. The Richland County Public Library is the best library system in the country. Library Journal magazine and the Gale Group, the Nation’s largest publisher of reference works for libraries, recently named the Richland library the National Library of the Year 2001. The library’s executive director, C. David Warren, will accept the award on June 18 at a ceremony in San Francisco during the annual conference of the American Library Association. This honor is the latest in a string of honors bestowed on Richland County’s system. In 1999, the American Library Association chose the library as the No. 1 large library system in the Southeast and, in 2000, Hennen’s American Public Library Ratings ranked it fourth among urban libraries serving populations of 250,000–499,999. It was only a matter of time before it earned top billing nationwide.

Three key factors influenced selection of the Library of the Year: service to the community, creativity in developing community programs and leadership in creating programs that other libraries can emulate. The Richland library shines in each of these areas

thanks to the hard work of Mr. Warren, his staff, the Friends of the Library group, the County Council and voters. In 1989, voters approved a \$27 million bond referendum used to build a striking new main library on Assembly Street and seven new branches. Many Richland County residents already knew they had a gem on their hands, but it sure is nice to have that pride substantiated by such a prestigious honor. I commend the Richland County Public Library for its outstanding service and wish Mr. Warren and his staff the best of luck as they continue to build an exemplary library system.●

#### IN RECOGNITION OF THE ALLENHURST FIRE DEPARTMENT

● Mr. TORRICELLI. Mr. President, I rise today to recognize the Allenhurst Fire Department on its 100th Anniversary of dedicated volunteer fire service.

For the last 100 years, with courage and devotion to their fellow neighbors, the volunteers of the Allenhurst Fire Department have valiantly given of themselves to protect the lives and property of the residents of Allenhurst, New Jersey. In doing so, they have taken on a great deal of personal responsibility in promoting the well being of their community and served as an exemplar of good citizenship.

I would like to extend my best wishes to the volunteers and families of the Allenhurst Fire Department and wish them many more years of fine service to their community.●

#### HONORING SEAN CONLEY

● Mr. DAYTON. Mr. President, I would like to honor Sean Conley for his recent victory at the 74th Annual Scripps Howard National Spelling Bee on May 31st, 2001. Outspelling 248 other master spellers at the national level over three days, Sean sealed his championship by successfully spelling succedaneum.

Sean is from Shakopee, MN, and attends the Minnesota Renaissance School in Anoka, MN. He placed 9th in the 1999 Scripps Howard National Spelling Bee and 2nd in 2000.

I join with all Minnesotans in celebrating Sean Conley's achievement. We are extremely proud of him.●

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Evans, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-2081. A communication from the Chairman of the Federal Election Commission, transmitting, pursuant to law, the Annual Report for 2000; to the Committee on Rules and Administration.

EC-2082. A communication from the Regulations Coordinator, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Protection of Human Research Subjects: Delay of Effective Date" (RIN0925-AA14) received on June 1, 2001; to the Committee on Health, Education, Labor, and Pensions.

EC-2083. A communication from the Acting Assistant Secretary of the Occupational Safety and Health Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Ergonomics Program" (RIN1218-AB36) received on May 14, 2001; to the Committee on Health, Education, Labor, and Pensions.

EC-2084. A communication from the Acting Director of the Office of Workers' Compensation Programs, Employment Standards Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Performance of Functions Under this Chapter; Claims for Compensation Under the Energy Employees Occupational Illness Compensation Program Act" (RIN1215-AB32) received on May 25, 2001; to the Committee on Health, Education, Labor, and Pensions.

EC-2085. A communication from the Acting Assistant Secretary, Occupational Safety and Health Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Consultation Agreements: Changes to Consultation Procedures" (RIN1218-AB79) received on June 1, 2001; to the Committee on Health, Education, Labor, and Pensions.

EC-2086. A communication from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting, pursuant to law, the report of a nomination confirmed for the position of Department of Defense General Counsel, received on May 25, 2001; to the Committee on Armed Services.

EC-2087. A communication from the Associate Director for Retirement and Insurance, Office of Personnel Management and the Acting Assistant Secretary of Defense, Health Affairs, transmitting jointly, pursuant to law, the Joint Evaluation by the Department of Defense and Office of Personnel Management of the Federal Employees Health Benefits Program Demonstration: First Report to Congress"; to the Committee on Armed Services.

EC-2088. A communication from the Alternate OSD Federal Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "CHAMPUS: Partial Implementation of Pharmacy Benefits Program" (RIN0720-AA62) received on June 1, 2001; to the Committee on Armed Services.

EC-2089. A communication from the Deputy Under Secretary of Defense, Policy Support, transmitting, pursuant to law, the Report on Agreements for the Exchange of Defense Personnel Between the United States and Foreign Countries for Fiscal Year 2000"; to the Committee on Armed Services.

EC-2090. A communication from the Assistant Director for Executive and Political Personnel, Department of the Navy, transmit-

ting, pursuant to law, the report of a nomination confirmed for the position of Secretary of the Navy, received on June 1, 2001; to the Committee on Armed Services.

EC-2091. A communication from the Director of the Policy Directives and Instructions Branch, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Adjustment of Status Under Legal Immigration Family Equity (LIFE) Act Legalization Provisions and Life Act Amendments Family Unity Provisions" (RIN1115-AG06) received on May 31, 2001; to the Committee on the Judiciary.

EC-2092. A communication from the Director of the Policy Directives and Instructions Branch, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Adjustment of Status for Certain Nationals of Nicaragua, Cuba, and Haiti" (RIN1115-AG05) received on May 31, 2001; to the Committee on the Judiciary.

EC-2093. A communication from the Director of Policy Directives and Instructions Branch, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Establishing Premium Processing Service for Employment-Based Petitions and Applications" (RIN1115-AG03) received on May 31, 2001; to the Committee on the Judiciary.

EC-2094. A communication from the President of the American Academy of Arts and Letters, transmitting, pursuant to law, a report relative to activities for 2000; to the Committee on the Judiciary.

EC-2095. A communication from the White House Liaison, transmitting, pursuant to law, the report of a nomination for the position of Administrator, Office of Juvenile Justice and Delinquency Prevention, Department of Justice, received on June 1, 2001; to the Committee on the Judiciary.

EC-2096. A communication from the White House Liaison, transmitting, pursuant to law, the report of a nomination for the position of Assistant Attorney General, Environment and Natural Resources Division, Department of Justice, received on June 1, 2001; to the Committee on the Judiciary.

EC-2097. A communication from the President of the United States, transmitting, pursuant to law, a report relative to Colombia; to the Committee on Appropriations.

EC-2098. A communication from the President of the United States, transmitting, pursuant to law, a report relative to Colombia; to the Committee on Appropriations.

EC-2099. A communication from the President of the United States, transmitting, pursuant to law, a report relative to Colombia; to the Committee on Appropriations.

EC-2100. A communication from the Chief Counsel, Bureau of the Public Debt, Office of the Under Secretary for Domestic Finance, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Government Securities Act Regulations: Definition of Government Securities" (RIN1505-AA82) received on May 23, 2001; to the Committee on Banking, Housing, and Urban Affairs.

EC-2101. A communication from the General Counsel of the Federal Emergency Management Agency, transmitting, pursuant to law, the report of a rule entitled "Changes in Flood Elevation Determinations" (Doc. No. FEMA-D-7509) received on May 23, 2001; to the Committee on Banking, Housing, and Urban Affairs.

EC-2102. A communication from the President and Chairman of the Export-Import Bank of the United States, transmitting, pursuant to law, a report relative to a transaction involving U.S. exports to Brazil; to

the Committee on Banking, Housing, and Urban Affairs.

EC-2103. A communication from the Deputy Secretary, Investment Management, Office of Public Utility Regulation, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Preservation and Destruction of Records of Registered Public Utility Holding Companies and of Mutual and Subsidiary Service Companies" received on May 24, 2001; to the Committee on Banking, Housing, and Urban Affairs.

EC-2104. A communication from the Deputy Secretary, Investment Management, Office of Regulatory Policy, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Section 270.31a-2: Records to be preserved by registered investment companies, certain majority-owned subsidiaries thereof, and other persons having transactions with registered investment companies. Section 275.204-2: Books and records to be maintained by investment advisers" (RIN3235-AI05) received on May 24, 2001; to the Committee on Banking, Housing, and Urban Affairs.

EC-2105. A communication from the General Counsel for Regulations, Office of the Secretary, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled "Screening and Eviction for Drug Abuse and Other Criminal Activity" (RIN2501-AC63) received on May 24, 2001; to the Committee on Banking, Housing, and Urban Affairs.

EC-2106. A communication from the Deputy Assistant Secretary of the Export Administration, Bureau of Export Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Entity List: Revisions and Additions" (RIN0694-AB60) received on May 31, 2001; to the Committee on Banking, Housing, and Urban Affairs.

EC-2107. A communication from the Legislative and Regulatory Activities Division, Office of the Comptroller of the Currency, Administrator of National Banks, transmitting, pursuant to law, the report of a rule entitled "Assessment of Fees" (12 CFR Part 8) received on May 31, 2001; to the Committee on Banking, Housing, and Urban Affairs.

EC-2108. A communication from the Managing Director of the Federal Housing Finance Board, transmitting, pursuant to law, the report of a rule entitled "Maintenance of Effort—Minimum Number of Annual Board of Directors Meeting" (RIN3069-AB05) received on May 31, 2001; to the Committee on Banking, Housing, and Urban Affairs.

EC-2109. A communication from the President and Chairman of the Export Import Bank of the United States, transmitting, pursuant to law, a report relative to a transaction involving U.S. exports to Taiwan; to the Committee on Banking, Housing, and Urban Affairs.

EC-2110. A communication from the Acting Administrator of Tobacco Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Tobacco Fees and Charges for Permissive Inspection and Certification; Fee Revisions" (RIN0581-AB86) received on May 24, 2001; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2111. A communication from the Chairman of the Federal Reserve System, transmitting, pursuant to law, a report relative to the profitability of the credit card operations of depository institutions for 2000; to the Committee on Banking, Housing, and Urban Affairs.

EC-2112. A communication from the Chief of Forest Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "National Forest

System Land and Resource Management Planning; Extension of Compliance Deadline; Interim Final Rule" received on May 30, 2001; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2113. A communication from the Congressional Review Coordinator, Policy and Program Development, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Change in Disease Status of France, Ireland, and The Netherlands Because of Foot-and-Mouth Disease" (Doc. No. 01-031-1) received on May 30, 2001; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2114. A communication from the Congressional Review Coordinator, Policy and Program Development, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Change in Disease Status of the Independent Principalities of Andorra, Monaco, and San Marino Because of BSE" (Doc. No. 01-029-1) received on May 30, 2001; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2115. A communication from the Congressional Review Coordinator, Policy and Program Development, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Prohibition of Beef from Argentina" (Doc. No. 01-032-1) received on May 30, 2001; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2116. A communication from the Chairman of the Farm Credit System Insurance Corporation, transmitting, pursuant to law, the 2000 annual report; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2117. A communication from the Acting Administrator of the Agricultural Marketing Service, Fruit and Vegetable Programs, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Papayas Grown in Hawaii; Suspension of Grade, Inspection, and Related Reporting Requirements" (Doc. No. FV01-928-1) received on May 31, 2001; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2118. A communication from the Acting Administrator of the Agricultural Marketing Service, Cotton Program, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Revision of User Fees for 2001 Crop Cotton Classification Services to Growers" (Doc. No. CN-00-010) received on May 31, 2001; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2119. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Clethodim; Pesticide Tolerance" (FRL6783-5) received on May 31, 2001; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2120. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Pyriproxyfen; Pesticide Tolerance" (FRL6782-5) received on May 31, 2001; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2121. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Clethodim; Time-Limited Pesticide Tolerance" (FRL6785-5) received on May 31, 2001; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2122. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule en-

titled "Baillus thuringiensis CryIF Protein and Genetic Material Necessary for its Production in Corn; Exemption from the Requirement of a Tolerance" (FRL6783-3) received on May 31, 2001; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2123. A communication from the Principal Deputy Associate Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Prohexadione Calcium; Pesticide Tolerance" (FRL6781-5) received on May 31, 2001; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2124. A communication from the Director of the Office of Regulations Management, Veterans Health Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Reasonable Charges for Medical Care or Service" (RIN2900-AK73) received on May 7, 2001; to the Committee on Veterans' Affairs.

EC-2125. A communication from the Director of the Office of Regulations Management, Veterans Benefits Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Schedule for Rating Disabilities: Disabilities of the Liver" (RIN2900-AK12) received on June 1, 2001; to the Committee on Veterans' Affairs.

EC-2126. A communication from the Acting Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed Manufacturing License in Agreement with the Republic of Korea; to the Committee on Foreign Relations.

EC-2127. A communication from the Acting Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed license for the export of defense articles or services under contract in the amount of \$50,000,000 or more; to the Committee on Foreign Relations.

EC-2128. A communication from the Acting Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed license for the export of defense articles or services sold commercially under contract in the amount of \$50,000,000 or more to Belgium; to the Committee on Foreign Relations.

EC-2129. A communication from the Acting Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed Technical Assistance Agreement for the export of defense articles or services sold commercially under contract in the amount of \$50,000,000 or more to France; to the Committee on Foreign Relations.

EC-2130. A communication from the Acting Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed license for the export of defense articles or services sold commercially under contract in the amount of \$50,000,000 or more to Japan; to the Committee on Foreign Relations.

EC-2131. A communication from the Acting Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed license for the export of defense articles or services sold commercially under contract in the amount of \$50,000,000 or more to Australia; to the Committee on Foreign Relations.

EC-2132. A communication from the Acting Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed license for the export of

defense articles or services sold commercially under contract in the amount of \$50,000,000 or more to Hong Kong, United Kingdom, Australia, and Canada; to the Committee on Foreign Relations.

EC-2133. A communication from the Acting Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed Manufacturing License Agreement with Canada; to the Committee on Foreign Relations.

EC-2134. A communication from the Acting Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed Manufacturing License Agreement with Japan; to the Committee on Foreign Relations.

EC-2135. A communication from the Acting Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed request for contract in the amount of \$50,000,000 or more to Brazil; to the Committee on Foreign Relations.

EC-2136. A communication from the Acting Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the promulgation of a rule entitled "Documentation of Immigrants and Nonimmigrants under the Immigration and Nationality Act, as amended—Refusal of Individual Visas"; to the Committee on Foreign Relations.

EC-2137. A communication from the Acting Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed Manufacturing License Agreement with Italy and France; to the Committee on Foreign Relations.

EC-2138. A communication from the Acting Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed license for the export of defense articles or services sold commercially under contract in the amount of \$50,000,000 or more to France; to the Committee on Foreign Relations.

EC-2139. A communication from the Acting Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed license for the export of defense articles or services sold commercially under contract in the amount of \$50,000,000 or more to Arabia; to the Committee on Foreign Relations.

EC-2140. A communication from the Acting Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed license for the export of defense articles or services sold commercially under contract in the amount of \$50,000,000 or more to Israel; to the Committee on Foreign Relations.

EC-2141. A communication from the Acting Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed license for the export of defense articles or services sold commercially under contract in the amount of \$50,000,000 or more to Norway, Belgium, The Netherlands, Denmark, Portugal, and SABCA; to the Committee on Foreign Relations.

EC-2142. A communication from the Acting Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed Technical Assistance Agreement for the export of defense articles or services sold commercially under contract in the amount of \$50,000,000 or more to Mex-

ico and Canada; to the Committee on Foreign Relations.

EC-2143. A communication from the Acting Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed Manufacturing License Agreement with Switzerland; to the Committee on Foreign Relations.

EC-2144. A communication from the Acting Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed Manufacturing License Agreement with Japan; to the Committee on Foreign Relations.

EC-2145. A communication from the Acting Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed Manufacturing License Agreement with Germany; to the Committee on Foreign Relations.

### REPORTS OF COMMITTEES

Under the authority of the order of the Senate of May 26, 2001, the following reports of committees were submitted on June 1, 2001:

By Mr. BOND, from the Committee on Small Business, without amendment:

S. 174: A bill to amend the Small Business Act with respect to the microloan program, and for other purposes (Rept. No. 107-18).

By Mr. BOND, from the Committee on Small Business:

Special Report entitled "Summary of Legislative and Oversight Activities During the 106th Congress." (Rept. No. 107-19).

### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. THOMPSON, from the Committee on Governmental Affairs:

Special Report entitled "Activities of the Committee on Governmental Affairs for the 106th Congress" (Rept. No. 107-20).

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, without amendment:

S. 230: A bill to direct the Secretary of the Interior to convey a former Bureau of Land Management administrative site to the City of Carson City, Nevada, for use as a senior center (Rept. No. 107-21).

S. 238: A bill to authorize the Secretary of the Interior to conduct feasibility studies on water optimization in the Burnt River basin, Malheur River basin, Owyhee River basin, and Powder River Basin, Oregon (Rept. No. 107-22).

S. 254: A bill to provide further protections for the watershed of the Little Sandy River as part of the Bull Run Watershed Management Unit, Oregon, and for other purposes (Rept. No. 107-23).

S. 329: A bill to require the Secretary of the Interior to conduct a theme study on the peopling of America, and for other purposes (Rept. No. 107-24).

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute and an amendment to the title:

S. 491: A bill to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the design, planning, and construction of the Denver Water Reuse project (Rept. No. 107-25).

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, with amendments and an amendment to the title:

S. 498: A bill entitled "National Discovery Trails Act of 2001" (Rept. No. 107-26).

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, without amendment:

S. 506: A bill to amend the Alaska Native Claims Settlement Act, to provide for a land exchange between the Secretary of Agriculture and the Huna Totem Corporation, and for other purposes (Rept. No. 107-27).

S. 507: A bill to implement further the Act (Public Law 94-241) approving the covenant to establish a commonwealth of the Northern Mariana Islands in Political Union with the United States of America, and for other purposes (Rept. No. 107-28).

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute and an amendment to the title:

S. 509: A bill to establish the Kenai Mountains-Turnagain Arm National Heritage Area in the State of Alaska, and for other purposes (Rept. No. 107-29).

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, without amendment:

S. 517: A bill to authorize funding the Department of Energy to enhance its mission areas through technology transfer and partnerships for fiscal years 2002 through 2006, and for other purposes (Rept. No. 107-30).

By Mr. HATCH, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 487: A bill to amend chapter 1 of title 17, United States Code, relating to the exemption of certain performances or displays for educational uses from copyright infringement provisions, to provide that the making of a single copy of such performances or displays is not an infringement, and for other purposes (Rept. No. 107-31).

By Mr. WARNER, from the Committee on Armed Services:

Special Report entitled "Report on the Activities of the Committee on Armed Services for the 106th Congress." (Rept. No. 107-32).

By Mr. HELMS, from the Committee on Foreign Relations, with an amendment in the nature of a substitute and with an amended preamble:

S. Res. 91: A resolution condemning the murder of a United States citizen and other civilians, and expressing the sense of the Senate regarding the failure of the Indonesian judicial system to hold accountable those responsible for the killings.

### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. GRAHAM (for himself, Mr. JEFFORDS, Mr. KENNEDY, Mr. LUGAR, Mr. BINGAMAN, Mr. CHAFEE, Mr. ROCKEFELLER, Mrs. MURRAY, Mr. HOLLINGS, Mr. LEVIN, Mr. CORZINE, and Mrs. LINCOLN):

S. 982. A bill to promote primary and secondary health promotion and disease prevention services and activities among the elderly, to amend title XVIII of the Social Security Act to add preventive health benefits, and for other purposes; to the Committee on Finance.

By Mr. ALLARD:

S. 983. A bill to suspend temporarily the duty on Fructooligosaccharides; to the Committee on Finance.

By Mr. ENZI (for himself and Ms. SNOWE):

S. 984. A bill to improve the Veterans Beneficiary Travel Program of the Department



of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. MILLER (for himself and Mr. CLELAND):

S. 985. A bill to designate the facility of the United States Postal Service located at 113 South Main Street in Sylvania, Georgia, as the "G. Elliot Hagan Post Office Building"; to the Committee on Governmental Affairs.

By Mr. GRASSLEY (for himself, Mr. SCHUMER, Mr. LEAHY, Mr. SMITH of New Hampshire, Mr. ALLARD, Mr. FEINGOLD, and Mr. SPECTER):

S. 986. A bill to allow media coverage of court proceedings; to the Committee on the Judiciary.

By Mr. TORRICELLI (for himself and Mr. KERRY):

S. 987. A bill to amend title XIX of the Social Security Act to permit States the option to provide medicaid coverage for low-income individuals infected with HIV; to the Committee on Finance.

By Mr. CAMPBELL:

S. 988. A bill to provide that countries receiving foreign assistance be conducive to United States business; to the Committee on Foreign Relations.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. FITZGERALD (for himself, Mr. LEAHY, and Mr. AKAKA):

S. Con. Res. 45. A concurrent resolution expressing the sense of Congress that the Humane Methods of Slaughter Act of 1958 should be fully enforced so as to prevent needless suffering of animals; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. GREGG (for himself, Mr. SMITH of New Hampshire, Ms. COLLINS, and Ms. SNOWE):

S. Con. Res. 46. A concurrent resolution honoring the 129 sailors and civilians lost aboard the U.S.S. Thresher on April 10, 1963, and urging the Secretary of the Army to erect a memorial to this tragedy in Arlington National Cemetery; to the Committee on Veterans' Affairs.

## ADDITIONAL COSPONSORS

S. 37

At the request of Mr. LUGAR, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 37, a bill to amend the Internal Revenue Code of 1986 to provide for a charitable deduction for contributions of food inventory.

S. 41

At the request of Mr. HATCH, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 41, a bill to amend the Internal Revenue Code of 1986 to permanently extend the research credit and to increase the rates of the alternative incremental credit.

S. 131

At the request of Mr. JOHNSON, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 131, a bill to amend title 38, United States Code, to modify the annual determination of the rate of the

basic benefit of active duty educational assistance under the Montgomery GI Bill, and for other purposes.

S. 139

At the request of Mr. BENNETT, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 139, a bill to assist in the preservation of archaeological, paleontological, zoological, geological, and botanical artifacts through construction of a new facility for the University of Utah Museum of Natural History, Salt Lake City, Utah.

S. 145

At the request of Mr. THURMOND, the name of the Senator from Utah (Mr. BENNETT) was added as a cosponsor of S. 145, a bill to amend title 10, United States Code, to increase to parity with other surviving spouses the basic annuity that is provided under the uniformed services Survivor Benefit Plan for surviving spouses who are at least 62 years of age, and for other purposes.

S. 155

At the request of Mr. BINGAMAN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 155, a bill to amend title 5, United States Code, to eliminate an inequity in the applicability of early retirement eligibility requirements to military reserve technicians.

S. 252

At the request of Mr. VOINOVICH, the name of the Senator from Oregon (Mr. SMITH) was added as a cosponsor of S. 252, a bill to amend the Federal Water Pollution Control Act to authorize appropriations for State water pollution control revolving funds, and for other purposes.

S. 278

At the request of Mr. JOHNSON, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 278, a bill to restore health care coverage to retired members of the uniformed services.

S. 280

At the request of Mr. JOHNSON, the names of the Senator from Nevada (Mr. REID) and the Senator from New Mexico (Mr. BINGAMAN) were added as cosponsors of S. 280, a bill to amend the Agriculture Marketing Act of 1946 to require retailers of beef, lamb, pork, and perishable agricultural commodities to inform consumers, at the final point of sale to consumers, of the country of origin of the commodities.

S. 281

At the request of Mr. HAGEL, the names of the Senator from Delaware (Mr. CARPER) and the Senator from New York (Mrs. CLINTON) were added as cosponsors of S. 281, a bill to authorize the design and construction of a temporary education center at the Vietnam Veterans Memorial.

S. 283

At the request of Mr. MCCAIN, the names of the Senator from Rhode Island (Mr. REED), the Senator from Georgia (Mr. MILLER), the Senator

from Maryland (Mr. SARBANES), and the Senator from Missouri (Mrs. CARNAHAN) were added as cosponsors of S. 283, a bill to amend the Public Health Service Act, the Employee Retirement Income Security Act of 1974, and the Internal Revenue Code of 1986 to protect consumers in managed care plans and other health coverage.

S. 284

At the request of Mr. MCCAIN, the names of the Senator from Rhode Island (Mr. REED), the Senator from Georgia (Mr. MILLER), the Senator from Maryland (Mr. SARBANES), and the Senator from Missouri (Mrs. CARNAHAN) were added as cosponsors of S. 284, a bill to amend the Internal Revenue Code of 1986 to provide incentives to expand health care coverage for individuals.

S. 305

At the request of Mr. SMITH of New Hampshire, the name of the Senator from Georgia (Mr. MILLER) was added as a cosponsor of S. 305, a bill to amend title 10, United States Code, to remove the reduction in the amount of Survivor Benefit Plan annuities at age 62.

S. 318

At the request of Mr. DASCHLE, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 318, a bill to prohibit discrimination on the basis of genetic information with respect to health insurance.

S. 340

At the request of Mr. DASCHLE, the name of the Senator from Minnesota (Mr. WELLSTONE) was added as a cosponsor of S. 340, a bill to recruit and retain more qualified individuals to teach in Tribal Colleges or Universities.

S. 409

At the request of Mr. DURBIN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 409, a bill to amend title 38, United States Code, to clarify the standards for compensation for Persian Gulf veterans suffering from certain undiagnosed illnesses, and for other purposes.

S. 543

At the request of Mr. WELLSTONE, the names of the Senator from North Carolina (Mr. EDWARDS) and the Senator from Maryland (Ms. MIKULSKI) were added as cosponsors of S. 543, a bill to provide for equal coverage of mental health benefits with respect to health insurance coverage unless comparable limitations are imposed on medical and surgical benefits.

S. 567

At the request of Mr. SESSIONS, the name of the Senator from Georgia (Mr. MILLER) was added as a cosponsor of S. 567, a bill to amend the Internal Revenue Code of 1986 to provide capital gain treatment under section 631(b) of such Code for outright sales of timber by landowners.

S. 611

At the request of Ms. MIKULSKI, the name of the Senator from Delaware

(Mr. BIDEN) was added as a cosponsor of S. 611, a bill to amend title II of the Social Security Act to provide that the reduction in social security benefits which are required in the case of spouses and surviving spouses who are also receiving certain Government pensions shall be equal to the amount by which two-thirds of the total amount of the combined monthly benefit (before reduction) and monthly pension exceeds \$1,200, adjusted for inflation.

S. 662

At the request of Mr. DODD, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 662, a bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to furnish headstones or markers for marked graves of, or to otherwise commemorate, certain individuals.

S. 677

At the request of Mr. HATCH, the names of the Senator from Alabama (Mr. SHELBY) and the Senator from Idaho (Mr. CRAIG) were added as cosponsors of S. 677, a bill to amend the Internal Revenue Code of 1986 to repeal the required use of certain principal repayments on mortgage subsidy bond financing to redeem bonds, to modify the purchase price limitation under mortgage subsidy bond rules based on median family income, and for other purposes.

S. 690

At the request of Mr. WELLSTONE, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 690, a bill to amend title XVIII of the Social Security Act to expand and improve coverage of mental health services under the medicare program.

S. 697

At the request of Mr. SMITH of New Hampshire, his name was added as a cosponsor of S. 697, a bill to modernize the financing of the railroad retirement system and to provide enhanced benefits to employees and beneficiaries.

S. 721

At the request of Mr. HUTCHINSON, the name of the Senator from Maryland (Mr. SARBANES) was added as a cosponsor of S. 721, a bill to amend the Public Health Service Act to establish a Nurse Corps and recruitment and retention strategies to address the nursing shortage, and for other purposes.

At the request of Mr. COCHRAN, his name was added as a cosponsor of S. 721, *supra*.

S. 731

At the request of Mr. JOHNSON, his name was added as a cosponsor of S. 731, a bill to ensure that military personnel do not lose the right to cast votes in elections in their domicile as a result of their service away from the domicile, to amend the Uniformed and Overseas Citizens Absentee Voting Act to extend the voter registration and absentee ballot protections for absent uniformed services personnel under such Act to State and local elections, and for other purposes.

S. 742

At the request of Mr. GRASSLEY, the name of the Senator from Virginia (Mr. ALLEN) was added as a cosponsor of S. 742, a bill to provide for pension reform, and for other purposes.

S. 778

At the request of Mr. HAGEL, the names of the Senator from Nebraska (Mr. NELSON), the Senator from Maryland (Ms. MIKULSKI), and the Senator from North Carolina (Mr. HELMS) were added as cosponsors of S. 778, a bill to expand the class of beneficiaries who may apply for adjustment of status under section 245(i) of the Immigration and Nationality Act by extending the deadline for classification petition and labor certification filings.

S. 786

At the request of Mr. DURBIN, the names of the Senator from Washington (Ms. CANTWELL) and the Senator from Illinois (Mr. FITZGERALD) were added as cosponsors of S. 786, a bill to designate certain Federal land in the State of Utah as wilderness, and for other purposes.

S. 790

At the request of Mr. BROWNBACK, the names of the Senator from North Carolina (Mr. HELMS) and the Senator from Alabama (Mr. SHELBY) were added as cosponsors of S. 790, a bill to amend title 18, United States Code, to prohibit human cloning.

S. 794

At the request of Mr. THOMPSON, the names of the Senator from Arkansas (Mr. HUTCHINSON) and the Senator from Oregon (Mr. SMITH) were added as cosponsors of S. 794, a bill to amend the Internal Revenue Code of 1986 to facilitate electric cooperative participation in a competitive electric power industry.

S. 805

At the request of Mr. WELLSTONE, the names of the Senator from Missouri (Mr. BOND) and the Senator from Nevada (Mr. REID) were added as cosponsors of S. 805, a bill to amend the Public Health Service Act to provide for research with respect to various forms of muscular dystrophy, including Duchenne, Becker, limb girdle, congenital, facioscapulohumeral, myotonic, oculopharyngeal, distal, and emery-dreifuss muscular dystrophies.

S. 829

At the request of Mr. BROWNBACK, the names of the Senator from South Dakota (Mr. JOHNSON), the Senator from Nevada (Mr. ENSIGN), and the Senator from New York (Mr. SCHUMER) were added as cosponsors of S. 829, a bill to establish the National Museum of African American History and Culture within the Smithsonian Institution.

S. 834

At the request of Mr. MURKOWSKI, the name of the Senator from Florida (Mr. GRAHAM) was added as a cosponsor of S. 834, a bill to provide duty-free treatment for certain steam or other vapor generating boilers used in nuclear facilities.

S. 839

At the request of Mrs. HUTCHISON, the name of the Senator from New Jersey (Mr. TORRICELLI) was added as a cosponsor of S. 839, a bill to amend title XVIII of the Social Security Act to increase the amount of payment for inpatient hospital services under the medicare program and to freeze the reduction in payments to hospitals for indirect costs of medical education.

S. 847

At the request of Mr. DAYTON, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 847, a bill to impose tariff-rate quotas on certain casein and milk protein concentrates.

S. 860

At the request of Mr. GRASSLEY, the name of the Senator from Arkansas (Mr. HUTCHINSON) was added as a cosponsor of S. 860, a bill to amend the Internal Revenue Code of 1986 to provide for the treatment of certain expenses of rural letter carriers.

S. 866

At the request of Mr. REID, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 866, a bill to amend the Public Health Service Act to provide for a national media campaign to reduce and prevent underage drinking in the United States.

S. 881

At the request of Mr. HATCH, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 881, a bill to amend the Taxpayer Relief Act of 1997 to provide for consistent treatment of survivor benefits for public safety officers killed in the line of duty.

S. 913

At the request of Ms. SNOWE, the name of the Senator from Arkansas (Mr. HUTCHINSON) was added as a cosponsor of S. 913, a bill to amend title XVIII of the Social Security Act to provide for coverage under the medicare program of all oral anticancer drugs.

S. 920

At the request of Mr. BREAUX, the name of the Senator from New Jersey (Mr. TORRICELLI) was added as a cosponsor of S. 920, a bill to amend the Internal Revenue Code of 1986 to provide a credit against income tax to individuals who rehabilitate historic homes or who are the first purchasers of rehabilitated historic homes for use as a principal residence.

S. 952

At the request of Mr. KENNEDY, the names of the Senator from Minnesota (Mr. DAYTON) and the Senator from Missouri (Mrs. CARNAHAN) were added as cosponsors of S. 952, a bill to provide collective bargaining rights for public safety officers employed by States or their political subdivisions.

S. 953

At the request of Mr. MCCONNELL, the names of the Senator from Georgia

(Mr. MILLER) and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of S. 953, a bill to establish a Blue Ribbon Study Panel and an Election Administration Commission to study voting procedures and election administration, to provide grants to modernize voting procedures and election administration, and for other purposes.

S. 957

At the request of Mr. WELLSTONE, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 957, a bill to provide certain safeguards with respect to the domestic steel industry.

S. 964

At the request of Mr. KENNEDY, the names of the Senator from Montana (Mr. BAUCUS), the Senator from Indiana (Mr. BAYH), the Senator from West Virginia (Mr. BYRD), the Senator from Washington (Ms. CANTWELL), the Senator from Delaware (Mr. CARPER), the Senator from Minnesota (Mr. DAYTON), the Senator from North Carolina (Mr. EDWARDS), the Senator from Hawaii (Mr. INOUE), the Senator from Michigan (Ms. STABENOW), and the Senator from New Jersey (Mr. TORRICELLI) were added as cosponsors of S. 964, a bill to amend the Fair Labor Standards Act of 1938 to provide for an increase in the Federal minimum wage.

S.J. RES. 7

At the request of Mr. HATCH, the name of the Senator from Nebraska (Mr. NELSON) was added as a cosponsor of S.J. Res. 7, a joint resolution proposing an amendment to the Constitution of the United States authorizing Congress to prohibit the physical desecration of the flag of the United States.

At the request of Mr. HATCH, the name of the Senator from Florida (Mr. NELSON) was withdrawn as a cosponsor of S.J. Res. 7, *supra*.

S. RES. 16

At the request of Mr. THURMOND, the names of the Senator from Alabama (Mr. SHELBY), the Senator from South Carolina (Mr. HOLLINGS), the Senator from Kansas (Mr. ROBERTS), and the Senator from Wisconsin (Mr. KOHL) were added as cosponsors of S. Res. 16, a resolution designating August 16, 2001, as "National Airborne Day".

S. RES. 71

At the request of Mr. HARKIN, the names of the Senator from South Dakota (Mr. DASCHLE), the Senator from Michigan (Ms. STABENOW), and the Senator from South Dakota (Mr. JOHNSON) were added as cosponsors of S. Res. 71, a resolution expressing the sense of the Senate regarding the need to preserve six day mail delivery.

S. RES. 92

At the request of Mr. JOHNSON, his name was added as a cosponsor of S. Res. 92, a resolution to designate the week beginning June 3, 2001, as "National Correctional Officers and Employees Week."

At the request of Mrs. FEINSTEIN, the names of the Senator from Missouri

(Mrs. CARNAHAN), the Senator from New Hampshire (Mr. SMITH), the Senator from Alabama (Mr. SESSIONS), the Senator from Oregon (Mr. SMITH), the Senator from Montana (Mr. BURNS), the Senator from Alaska (Mr. STEVENS), the Senator from Washington (Mrs. MURRAY), the Senator from California (Mrs. BOXER), the Senator from South Carolina (Mr. HOLLINGS), the Senator from Illinois (Mr. DURBIN), and the Senator from Wisconsin (Mr. FEINGOLD) were added as cosponsors of S. Res. 92, *supra*.

S. RES. 98

At the request of Mr. BOND, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. Res. 98, a resolution designating the period beginning on June 11 and ending on June 15, 2001 as "National Work Safe Week."

S. CON. RES. 3

At the request of Mr. FEINGOLD, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. Con. Res. 3, a concurrent resolution expressing the sense of Congress that a commemorative postage stamp should be issued in honor of the U.S.S. *Wisconsin* and all those who served aboard her.

S. CON. RES. 24

At the request of Mr. LIEBERMAN, the name of the Senator from New Mexico (Mr. DOMENICI) was added as a cosponsor of S. Con. Res. 24, a concurrent resolution expressing support for a National Reflex Sympathetic Dystrophy (RSD) Awareness Month.

S. CON. RES. 35

At the request of Mr. SCHUMER, the names of the Senator from Wisconsin (Mr. FEINGOLD), the Senator from Georgia (Mr. MILLER), and the Senator from Maryland (Ms. MIKULSKI) were added as cosponsors of S. Con. Res. 35, a concurrent resolution expressing the sense of Congress that Lebanon, Syria, and Iran should allow representatives of the International Committee of the Red Cross to visit the four Israelis, Adi Avitan, Binyamin Avraham, Omar Souad, and Elchanan Tannenbaum, presently held by Hezbollah forces in Lebanon.

S. CON. RES. 43

At the request of Mr. LEVIN, the names of the Senator from Montana (Mr. BAUCUS) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. Con. Res. 43, a concurrent resolution expressing the sense of the Senate regarding the Republic of Korea's ongoing practice of limiting United States motor vehicles access to its domestic market.

AMENDMENT NO. 424

At the request of Mr. LEAHY, the names of the Senator from Virginia (Mr. ALLEN), the Senator from Utah (Mr. BENNETT), the Senator from South Dakota (Mr. DASCHLE), the Senator from New Mexico (Mr. DOMENICI), the Senator from Arkansas (Mr. HUTCHINSON), and the Senator from Nevada (Mr. REID) were added as cosponsors of amendment No. 424.

AMENDMENT NO. 426

At the request of Mr. CONRAD, the name of the Senator from New Mexico (Mr. DOMENICI) was added as a cosponsor of amendment No. 426 intended to be proposed to S. 1, an original bill to extend programs and activities under the Elementary and Secondary Education Act of 1965.

AMENDMENT NO. 465

At the request of Mr. WELLSTONE, the names of the Senator from Massachusetts (Mr. KENNEDY) and the Senator from New York (Mrs. CLINTON) were added as cosponsors of amendment No. 465.

AMENDMENT NO. 625

At the request of Mr. WYDEN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of amendment No. 625.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. GRAHAM (for himself, Mr. JEFFORDS, Mr. KENNEDY, Mr. LUGAR, Mr. BINGAMAN, Mr. CHAFEE, Mr. ROCKEFELLER, Mrs. MURRAY, Mr. HOLLINGS, Mr. LEVIN, Mr. CORZINE, and Mrs. LINCOLN):

S. 982. A bill to promote primary and secondary health promotion and disease prevention services and activities among the elderly, to amend title XVIII of the Social Security Act to add preventive health benefits, and for other purposes; to the Committee on Finance.

Mr. GRAHAM. Mr. President, I rise today, along with my colleagues Senators JEFFORDS, KENNEDY, LUGAR, BINGAMAN, CHAFEE, MURRAY, HOLLINGS, ROCKEFELLER, LEVIN, LINCOLN, and CORZINE, to introduce the Medicare Wellness Act.

For too long, the Medicare approach to health care has been wholly reactive. Benefits are designed to treat illness and disability once a recipient is already suffering. This approach is outdated. It is time for Medicare to become pro-active. It is time to focus on helping people to prevent disease in the first place so that they may live not just longer, but more fulfilling lives.

The Medicare Wellness Act shifts the focus of Medicare, changing it from a program that simply treats illness to one that promotes wellness. For this reason, The Medicare Wellness Act has support from a broad range of groups, including the National Council on Aging, the American College of Preventive Medicine, the American Heart Association, and the National Osteoporosis Foundation.

Currently, 70 percent of medical spending is the result of preventable illnesses, many of which occur in older adults. It does not have to be this way. Research shows that declines in health are not inevitable with age. In fact, many chronic diseases can be prevented by making lifestyle changes such as taking up an exercise program

or quitting smoking. A healthier lifestyle adopted at any time during one's lifetime can increase active life expectancy and decrease disease and disability.

The Medicare Wellness Act helps promote preventive health care among older Americans, first by adding to the list of Medicare benefits several services that we know to be effective in preventing disease.

These benefits focus on some of the most prominent, underlying risk factors for illness that face all Medicare beneficiaries, including: Screening for hypertension, counseling for tobacco cessation, medical nutrition therapy services for cardiovascular patients, counseling for post-menopausal women, screening for vision and hearing loss, expanded screening for osteoporosis, and screening for cholesterol.

The addition of these new benefits represent the highest recommendations for Medicare beneficiaries in the U.S. Preventive Services Task Force, recognized as the gold standard within the prevention community, and the Institute of Medicine.

The benefits can help reduce Medicare beneficiaries' risk for health problems such as stroke, cancer, osteoporosis, and heart disease.

Other major components of our bill include the establishment of the Healthy Seniors Promotion Program. This program will be led by an inter-agency group within the Department of Health and Human Services, which will look at existing preventive benefits and offer suggestions to make their use more widespread.

This point is critical.

The fact is that there are a number of prevention-related services available to Medicare beneficiaries today, including mammograms and colorectal cancer screening. But those services are seriously underutilized. A study published by Dartmouth University, The Dartmouth Atlas of Health Care 1999, found that only 28 percent of women age 65-69 receive mammograms and only 12 percent of beneficiaries were screened for colorectal cancer. These are disturbing figures.

Additionally, the Medicare Wellness Act incorporates an aggressive applied research effort to investigate new methods of improving the health of Medicare beneficiaries and the management of chronic diseases.

Further, our bill would establish a health education and risk appraisal program aimed at major behavioral risk factors such as diet, exercise, alcohol and tobacco use, and depression.

This program will target both pre-65 individuals and current Medicare beneficiaries and will strive to increase awareness among individuals of major risk factors that impact health, to change personal health habits, to improve health status, and ultimately to save the Medicare program money.

In addition to new research on prevention among Medicare beneficiaries,

the Medicare Wellness Act would require several reports to assess the overall scientific validity of the Medicare preventive benefits package.

First, our bill would require the Medicare Payment Advisory Commission, known as MedPAC, to report to Congress every three years on whether the Medicare program needs to change over time in order to ensure that Medicare benefits are appropriate for the population being served and is as comprehensive as private insurance plans offered.

Currently, there is no regular assessment to ensure that Medicare is providing a healthcare package that is up-to-date with either the current needs of seniors or current scientific findings. Quite frankly, Medicare hasn't kept up with the rest of the health care world, we need to do better.

A second study that our bill would require is one in which the Institute of Medicine, IOM, would assess, every three years, the scientific validity of the entire Medicare preventive benefits package.

The study will be presented to Congress in a manner that mirrors The Trade Act of 1974. The Institute of Medicine's recommendations would be presented to Congress in legislative form. Congress would then have 60 days to either accept or reject the recommendations. But Congress could not change the recommendations themselves.

This "fast-track" process is a deliberate effort to get Congress out of the business of micro-managing the Medicare program allowing science to dictate the medical needs of seniors in America.

In the aggregate, the Medicare Wellness Act represents the most comprehensive legislative proposal in the 107th Congress for the Medicare program focused on health promotion and disease prevention for beneficiaries. It represents sound health policy based on sound science.

However, at a time when there is concern over the solvency of Medicare and concern that it won't be able to provide future seniors with the health care that they are promised, one may question whether it is wise to expand upon benefits already offered. And one is wise to do so.

However, the issue of prevention is different.

Benjamin Franklin was truly on the mark when he first said that "an ounce of prevention is worth a pound of cure". Offering preventive care under Medicare, or the "ounce of prevention," will definitely cost the government money up front. However, this initial outlay of dollars will be returned in terms of costs saved in the long run by avoiding long-term, cost intensive treatments, or the "pound of cure".

And, just as important, although unmeasurable, will be the enhanced quality of life for seniors. Prevention helps us all to live more healthy lives

in the long run which translates into more productive and fulfilling lives as well.

Today, many people continue to work beyond the age of 65 contributing to the workforce and the economy. However, they are only able to do so if their health allows.

When considering the future of Medicare, the question really comes down to this. Is the value of improved quality of life for seniors and their ability to maintain healthy, functional and productive lives worth the expenditure?

While improving Medicare's financial outlook for future generations is imperative, we must do it in a way that gives our seniors the ability to live longer, healthier and valued lives.

I believe that by pursuing a prevention strategy that addresses some of the most fundamental risk factors for chronic illness and disability that face seniors, we will make an invaluable contribution to the Medicare reform debate and, more importantly, to our children and grandchildren.

I encourage my colleagues to join us on this important bill and to work with us to ensure that the provisions of the bill are reflected in any Medicare reform legislation that is debated and voted on this year in the Senate.

I ask unanimous consent that a list of groups supporting this bill be printed in the RECORD.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

#### GROUPS SUPPORTING THE MEDICARE WELLNESS ACT OF 2001

American Cancer Society.  
American College of Preventive Medicine.  
American Dietetic Association.  
American Geriatrics Society.  
American Heart Association.  
American Lung Association.  
American Physical Therapy Association.  
American Public Health Association.  
American Speech-Language Hearing Association.  
Campaign for Tobacco Free Kids.  
Families USA.  
National Campaign for Hearing Health.  
National Osteoporosis Foundation.  
National Committee to Preserve Social Security and Medicare.  
National Council on Aging.  
National Chronic Care Association.  
National Mental Health Association.  
Partnership for Prevention.  
Strong Women Inside and Out.  
United Cerebral Palsy Associations.

Mr. JEFFORDS. Mr. President, I am pleased to join Senator GRAHAM today in introducing the Medicare Wellness Act of 2001. Our Nation's rapidly growing senior population and the ongoing search for cost-effective health care have led to the development of this important legislation. The goal of the Medicare Wellness Act is to increase access to preventive health services, improve the quality of life for America's seniors, and increase the cost-effectiveness of the Medicare program.

Congress created the Medicare program in 1965 to provide health insurance for Americans age 65 and over.

From the outset, the program has focused on coverage for hospital services needed for an unexpected or intensive illness. In recent years, however, a great escalation in program expenditures and an increase in knowledge about the value of preventive care have forced policy makers to re-evaluate the current Medicare benefit package.

The Medicare Wellness Act adds to the Medicare program those benefits recommended by the Institute of Medicine and the U.S. Preventive Services Task Force. These include: screening for hypertension, counseling for tobacco cessation, counseling for hormone replacement therapy, screening for vision and hearing loss, cholesterol screening, expanded screening for osteoporosis, and nutrition therapy counseling or seniors with cardiovascular disease. These services address the most prominent risk factors facing Medicare beneficiaries.

In 1997 and again in 2000, Congress added several new preventive benefits to the Medicare program through the Balanced Budget Act and the Beneficiary Improvement and Protection Act. These benefits included annual mammography, diabetes self-management, prostate cancer screening, pelvic examinations, glaucoma screening, and colorectal cancer screening. Congress's next logical step is to incorporate the nine new screening and counseling benefits in the Medicare Wellness Act. If these symptoms are addressed regularly, beneficiaries will have a head start on fighting the conditions they lead to, such as diabetes, lung cancer, heart disease, blindness, osteoporosis, and many others.

Research suggests that insurance coverage encourages the use of preventive and other health care services. The Medicare Wellness Act also eliminates the deductibles and coinsurance for new and current preventive benefits in the program. Because screening services are directed at people without symptoms, this will further encourage the use of services by reducing the cost barrier to care. Increased use of screening services will mean that problems will be caught earlier, which will permit more successful treatment. This will save the Medicare program money because it is cheaper to screen for an illness and treat its early diagnosis than to pay for drastic hospital procedures at a later date.

However, financial access is not the only barrier to the use of preventive care services. Other barriers include low levels of education or information for beneficiaries. That is why the Medicare Wellness Act instructs the Secretary of Health and Human Services to coordinate with the Centers for Disease Control and Prevention and the Health Care Financing Administration to establish a Risk Appraisal and Education Program within Medicare. This program will target both current beneficiaries and individuals below the age of 65 who have high risk factors. Outreach to these groups will offer ques-

tions regarding major behavioral risk factors, including the lack of proper nutrition, the use of alcohol, the lack of regular exercise, the use of tobacco, and depression. State of the art software, case managers, and nurse hotlines will then identify what conditions beneficiaries are at risk for, based on their individual responses to the questions, then refer them to preventive screening services in their area and inform them of actions they can take to lead a healthier life.

The Medicare Wellness Act also establishes the Healthy Seniors Promotion Program. This program will bring together all the agencies within the Department of Health and Human Services that address the medical, social and behavioral issues affecting the elderly to increase knowledge about and utilization of prevention services among the elderly, and develop better ways to prevent or delay the onset of age-related disease or disability.

Now is the time for Medicare to catch up with current health science. We need a Medicare program that will serve the health care needs of America's seniors by utilizing up-to-date knowledge on healthy aging. Effective health care must address the whole health of an individual. A lifestyle that includes proper exercise and nutrition, and access to regular disease screening ensures that proper attention is being paid to the whole individual, not just a solitary body part. It is time we reaffirm our commitment to provide our Nation's seniors with quality health care.

It is my hope that my colleagues in Congress will examine this legislation and realize the inadequacy of the current package of preventive benefits in the Medicare program. We have the opportunity to transform Medicare from an out-dated sickness program to a modern wellness program. I want to thank Senator BOB GRAHAM and all the other cosponsors of the Medicare Wellness Act who are supporting this bold step towards successful Medicare reform.

MR. KENNEDY. Mr. President, it's a privilege to join Senator GRAHAM and Senator JEFFORDS in introducing the Medicare Wellness Act of 2001, Medicare reform for the 21st century. This important legislation will make it easier for senior citizens to take advantage of the preventive benefits to them, while strengthening Medicare at the same time.

Greater investment in the health of the nation's elderly is long overdue. Although we have made significant progress in reducing chronic disability among older Americans, we still have a long way to go. According to the World Health Organization, the United States ranks behind 23 other nations in "healthy life expectancy." Surely, we can do better than that.

Each year, chronic disability adds \$26 billion to the nation's health care costs. Unless we act, the burden of these costs will become increasingly

unbearable for countless senior citizens. In the next 30 years, Medicare will be under even heavier pressures as the baby boom generation retires. Nearly one fifth of the population will be 65 and older by 2025, which means that a larger number of beneficiaries will be supported by a smaller number of workers. To avoid hard remedies such as benefit cuts or tax increases, we should do all we can to reduce future Medicare costs by improving the health of senior citizens.

According to a study at Duke University, if the 1.3 percent decline in disability achieved over the last 12 years can be raised to 1.5 percent, we can potentially save enough in Medicare to avoid any substantial long-term increase in Medicare tax or reduction in benefits. The Medicare Wellness Act attempt to do that. It waives cost-sharing for a series of preventive benefits, provides individual health risk appraisals, encourages a falls prevention campaign, and funds pilot projects and new research on the most effective ways to encourage senior citizens to adopt healthier lifestyles.

Prevention saves lives and saves money. Screening can often be the difference between a successful battle with cancer and a failed one. Colorectal cancers, for example, have a five-year survival rate of up to 90 percent if detected at an early stage—but currently only 37 percent of these cancers are actually diagnosed early. Unfortunately, screening tests are significantly under-used by Medicare beneficiaries. Only approximately a third of men and women at-risk for these cancers are currently being screened.

Our bill helps to combat this problem by eliminating cost-sharing and deductibles for a wide range of preventive services, such as screening for colorectal cancers, mammography, screening for glaucoma, bone mass measurement, medical nutrition therapy services, and screening for cholesterol problems and hypertension.

The Medicare Wellness Act also creates a national "falls prevention" education and awareness campaign to reduce these injuries. Older Americans are hospitalized for fall-related injuries five times more often than they are for other types of injuries. This awareness campaign will educate senior citizens about precautions they can take to reduce the likelihood of such injuries.

Clinical depression also takes a heavy toll on the nation's elderly. Compared to all other age groups, senior citizens have the highest suicide rate in the nation. Twenty percent of persons age 55 and older suffer from a mental disorder that is not part of the normal aging process. As with so many other illnesses, depression is under-diagnosed among the elderly. This bill provides needed funding for demonstration projects to screen for depression, so that elderly persons suffering from this problem can be diagnosed and referred to specialists for the treatment they need.

The Medicare Wellness Act also encourages senior citizens to improve their health and reduce the risks of illness in other ways. Typical factors leading to poor health include smoking, physical inactivity, and excessive use of alcohol. A health risk appraisal initiative under the Act will give senior citizens the individual attention they need to make the changes in lifestyle necessary to improve their health.

In addition, the Medicare Wellness Act encourages research to explore the most effective ways to improve Medicare's role in preventing disease and improving health. Pilot programs are authorized to experiment with innovative ways to promote healthier lifestyles and reach out to senior citizens in various settings.

Federal agencies will undertake particular research programs on these issues. The Medicare Payment Advisory Commission is asked to evaluate Medicare benefits in relation to private sector benefits. The National Institute on Aging is asked to report on ways to improve the quality of life for the elderly. The Institute of Medicine is asked to make recommendations to Congress about the medical and cost effectiveness of existing Medicare benefits and the potential benefit of preventive services.

I urge my colleagues to support this important legislation. The Medicare Wellness Act can be a significant contribution to healthier senior citizens and a healthier Medicare.

By Mr. ALLARD:

"	9902.21.01	Fructooligosaccharides (FOS) (provided for in subheading 2106.90.99) .....	Free	No change	No change	On or before 12/31/2003	".
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(b) EFFECTIVE DATE.—The amendment made by this section applies with respect to goods entered, or withdrawn from warehouse for consumption, on or after the 15th day after the date of the enactment of this Act.

By Mr. ENZI (for himself and Ms. SNOWE).

S. 984. A bill to improve the Veterans Beneficiary Travel Program of the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

Mr. ENZI. Madam President I rise today to introduce the Veterans Road to Health Care Act 2001. This legislation would raise the travel reimbursement rate for veterans who must travel to Veterans Administration hospitals for treatment. The current reimbursement for veterans is 11 cents per mile. This bill would raise that figure to match the Federal employees travel reimbursement rate which is 34.5 cents per mile.

The average price for gas in Wyoming right now is \$1.63 per gallon. I know it varies across the Nation. The current rate of 11 cents per miles barely makes a dent in the expenses incurred by veterans who have no choice but travel by automobile for health care. I have received numerous letters from veterans in Wyoming describing how difficult it is to work into their budget the money necessary to travel between their hometown and the VA hospital. Being able to access health care is vital, it should not be a choice between driving to receive needed treatment or being able to afford other necessities.

In Wyoming, we have two VA hospitals, one in Cheyenne and one in Sheridan. Veterans have to travel to one of these facilities to be treated for health conditions and be covered by the health care plan that the military provides for them. This poses a serious problem in terms of travel expense, especially with the rise in gasoline prices. It was a problem before; it is a bigger problem now. Some of the largest towns in Wyoming like Evanston and Cody are over 300 miles away from

the nearest VA facility. A veteran living in Evanston has to drive 360 miles to reach the nearest VA hospital, and from Cody it is about 300 miles to the nearest facility.

This bill addresses the healthcare of veterans who have special needs. It would allow veterans who have been referred to a special care center by their VA physician to be reimbursed under the Travel Beneficiary Program for their travel to the specialized facility. This applies only to those veterans who cannot receive adequate care at their VA facility and who have a nonservice connected disability.

This legislation is important to all veterans, but it is especially significant to those veterans who live in rural States, like my home State of Wyoming. Rural States are less populated, there is greater distance between towns and far fewer options for transportation. Wyoming has miles and miles of miles and miles. Cars are the main mode of transportation. In urban areas, there are more readily available health care facilities and more transportation options for accessing those facilities. There are subways and bus systems and the towns and cities and VA hospitals are closer together.

I believe that the Government has a duty to compensate our service men and women for the sacrifices they made defending the freedoms of this country. With our current recruitment and retention problems in the military, I think it is our Nation's responsibility to give veterans the kind of access to healthcare they have earned through their service to our country. The rising cost of gasoline should not be the driving factor for a veteran to go untreated at veterans clinics. I strongly urge my colleagues to support this important bill.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 983. A bill to suspend temporarily the duty on Fructooligosaccharides; to the Committee on Finance.

Mr. ALLARD. Mr. President, today I am introducing a bill that would temporarily suspend the duty on Fructooligosaccharides. I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 983

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. TEMPORARY SUSPENSION OF DUTY.**

(a) IN GENERAL.—Subchapter II of chapter 99 of the Harmonized Tariff Schedule of the United States is amended by inserting in numerical sequence the following new heading:

S. 984

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the "Veterans Road to Health Care Act of 2001".

**SEC. 2. IMPROVEMENT OF VETERANS BENEFICIARY TRAVEL PROGRAM.**

(a) PAYMENTS FOR CERTAIN ADDITIONAL MEDICAL CARE.—(1) Section 111(b)(1) of title 38, United States Code, is amended by adding at the end the following new subparagraph:

"(G) A veteran whose travel is in connection with treatment or care for a non-service-connected disability at non-Department facility if the treatment or care—

"(i) is provided upon the recommendation of medical personnel of the Department; and

"(ii) is not available at the Department facility at which such recommendation is made."

(2) The amendment made by paragraph (1) shall take effect on October 1, 2001, and shall apply with respect to fiscal years after fiscal year 2001.

(b) CALCULATION OF EXPENSES OF TRAVEL.—(1) Notwithstanding any other provision of law, in calculating expenses of travel for purposes of the Veterans Beneficiary Travel Program, the Secretary of Veterans Affairs shall utilize the current mileage reimbursement rates for the use on official business of privately owned vehicles prescribed by the Administrator of General Services under section 5707(b) of title 5, United States Code.

(2) In this subsection, the term "Veterans Beneficiary Travel Program" means the program of payment or reimbursement for necessary expenses of travel of veterans and their beneficiaries prescribed under sections 111 and 1728 of title 38, United States Code, and under any other provisions of law administered by the Secretary of Veterans Affairs for payment or reimbursement for such expenses of travel.

By Mr. GRASSLEY (for himself, Mr. SCHUMER, Mr. LEAHY, Mr. SMITH of New Hampshire, Mr. ALLARD, Mr. FEINGOLD, and Mr. SPECTER):

S. 986. A bill to allow media coverage of court proceedings; to the Committee on the Judiciary.

Mr. GRASSLEY. Mr. President, I rise today to introduce the "Sunshine in



the Courtroom Act." This bill will give federal judges the discretion to allow for the photographing, electronic recording, broadcasting and televising of federal court proceedings. The Sunshine in the Courtroom Act will help the public become better informed about the judicial process. Moreover, this bill will help produce a healthier judiciary. Increased public scrutiny will bring about greater accountability and help judges to do a better job. The sun needs to shine in on the federal courts.

Allowing cameras in the federal courtrooms is consistent with our Founding Fathers' intent that trials be held in front of as many people as choose to attend. I believe that the First Amendment requires that court proceedings be open to the public and, by extension, the news media. The Constitution and Supreme Court both support the fundamental principles and aims of this bill. The Supreme Court has said, "what transpires in the courtroom is public property." Clearly, the American values of openness and education are served by using electronic media in federal courtrooms.

There are many benefits and no substantial detrimental effects to allowing greater public access to the inner workings of our federal courts. Fifteen states conducted studies aimed specifically at the educational benefits derived from camera access to courtrooms. They all determined that camera coverage contributed to greater public understanding of the judicial system.

Moreover, the widespread use in state court proceedings show that still and video cameras can be used without any problems, and that procedural discipline is preserved. According to the National Center for State Courts, forty-eight states allow modern audiovisual coverage of court proceedings under a variety of rules and conditions. My own State of Iowa has operated successfully in this open manner for 20 years. Further, at the federal level, the Federal Judicial Center conducted a pilot program in 1994 which studied the effect of cameras in a select number of federal courts. That study found "small or no effects of camera presence on participants in the proceeding, courtroom decorum, or the administration of justice."

I would like to note that even the Supreme Court has recognized that there is a serious public interest in the open airing of important court cases. At the urging of Senator SCHUMER and myself, Chief Justice Rehnquist allowed the delayed audio broadcasting of the oral arguments before the Supreme Court in the 2000 presidential election dispute. The Supreme Court's response to our request was an historic, major step in the right direction. Since then, other courts have followed suit, such as the live audio broadcast of oral arguments before the D.C. Circuit in the Microsoft antitrust case and the televising of appellate proceedings before the Ninth

Circuit in the Napster copyright case. The public wants to see what is happening in these important judicial proceedings, and the benefits are significant in terms of public knowledge and discussion.

We've introduced the Sunshine in the Courtroom Act with a well-founded confidence based on the experience of the states as well as state and federal studies. However, in order to be certain of the safety and integrity of our judicial system, we have included a 3-year sunset provision allowing a reasonable amount of time to determine how the process is working before making the provisions of the bill permanent.

It is also important to note that the bill simply gives judges the discretion to use cameras in the courtroom. It does not require judges to have cameras in their courtroom if they do not want them. The bill also protects the anonymity of non-party witnesses by giving them the right to have their voices and images obscured during testimony.

So, the bill does not require cameras, but allows judges to exercise their discretion to permit cameras in appropriate cases. The bill protects witnesses and does not compromise safety. The bill preserves the integrity of the judicial system. The bill is based on the experience of the states and the federal courts. And the bill's net result will be greater openness and accountability of the nation's federal courts. The best way to maintain confidence in our judicial system, where the federal judiciary holds tremendous power, is to let the sun shine in by opening up the federal courtrooms to public view through broadcasting. And allowing cameras in the courtroom will bring the judiciary into the 21st century. I urge my colleagues to join me in supporting the Sunshine in the Courtroom Act.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 986

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. DEFINITIONS.

In this Act:

(1) **PRESIDING JUDGE.**—The term "presiding judge" means the judge presiding over the court proceeding concerned. In proceedings in which more than 1 judge participates, the presiding judge shall be the senior active judge so participating or, in the case of a circuit court of appeals, the senior active circuit judge so participating, except that—

(A) in en banc sittings of any United States circuit court of appeals, the presiding judge shall be the chief judge of the circuit whenever the chief judge participates; and

(B) in en banc sittings of the Supreme Court of the United States, the presiding judge shall be the Chief Justice whenever the Chief Justice participates.

(2) **APPELLATE COURT OF THE UNITED STATES.**—The term "appellate court of the United States" means any United States cir-

cuit court of appeals and the Supreme Court of the United States.

#### SEC. 2. AUTHORITY OF PRESIDING JUDGE TO ALLOW MEDIA COVERAGE OF COURT PROCEEDINGS.

(a) **AUTHORITY OF APPELLATE COURTS.**—Notwithstanding any other provision of law, the presiding judge of an appellate court of the United States may, in the discretion of that judge, permit the photographing, electronic recording, broadcasting, or televising to the public of court proceedings over which that judge presides.

(b) **AUTHORITY OF DISTRICT COURTS.**—

(1) **IN GENERAL.**—Notwithstanding any other provision of law, any presiding judge of a district court of the United States may, in the discretion of that judge, permit the photographing, electronic recording, broadcasting, or televising to the public of court proceedings over which that judge presides.

(2) **OBSCURING OF WITNESSES.**—

(A) **IN GENERAL.**—Upon the request of any witness in a trial proceeding other than a party, the court shall order the face and voice of the witness to be disguised or otherwise obscured in such manner as to render the witness unrecognizable to the broadcast audience of the trial proceeding.

(B) **NOTIFICATION TO WITNESSES.**—The presiding judge in a trial proceeding shall inform each witness who is not a party that the witness has the right to request that the image and voice of that witness be obscured during the witness' testimony.

(c) **ADVISORY GUIDELINES.**—The Judicial Conference of the United States may promulgate advisory guidelines to which a presiding judge, in the discretion of that judge, may refer in making decisions with respect to the management and administration of photographing, recording, broadcasting, or televising described under subsections (a) and (b).

#### SEC. 3. SUNSET.

The authority under section 2(b) shall terminate 3 years after the date of the enactment of this Act.

Mr. FEINGOLD. Mr. President, I am proud to once again be an original cosponsor of the Grassley-Schumer bill on cameras in the courtroom. I strongly support allowing cameras in federal courtrooms for a simple reason. Trials and court hearings are public proceedings. They are paid for by the taxpayers. Except in the most rare and unusual circumstances, the public has a right to see what happens in those proceedings. We have a long tradition of press access to trials, but in this day and age, it is no longer sufficient to be able to read in the morning paper what happened in a trial the day before. The public wants to see for itself what goes on in our courts of law, and I think it has a right to do so.

Experience in the state courts—and the vast majority of states now allow trials to be televised—has shown that it is possible to permit the public to see trials on television without compromising the rights of a defendant to a fair trial or the safety or privacy interests of witnesses or jurors. Concerns about cameras interfering with the fair administration of justice in this country I believe are overstated.

Let me note also that I believe the arguments against allowing cameras in the courtroom are the least persuasive in the case of appellate proceedings, including the Supreme Court. I had the

opportunity to watch the oral argument at the Supreme Court late in 1999 in an important case dealing with campaign finance reform. It was a fascinating experience, and one that I wish all Americans could have. Of course, the entire country was able to hear audio feeds of the two oral arguments in *Bush v. Gore* only hours after those arguments were completed. Hearing those arguments directly was an important and positive public educational experience. Seeing the arguments live would have been even better. I do not believe that a discreet camera in that courtroom would have changed the argument one iota.

There is no question in my mind that the highly trained and prestigious judges and lawyers who sit on and argue before our nation's federal appellate courts would continue to conduct themselves with dignity and professionalism if cameras were recording their work. These proceedings are where law is made in this country. The public will benefit greatly from being able to watch federal judges and advocates in action at oral argument.

The bill that my friends from New York and Iowa are introducing today is a responsible and measured bill. It gives discretion to individual federal judges to allow cameras in their courtrooms. At the same time, it assures that witnesses will be able to request that their identities not be revealed in televised proceedings. This bill gives deference to the experience and judgment of federal judges who remain in charge of their own courtrooms. That is the right approach.

My state of Wisconsin has a long and proud tradition of open government, and it has served us well. Coming from that tradition, my approach is to look with skepticism on any remnant of secrecy that lingers in our governmental processes at the federal level. When the workings of government are transparent, the people understand it better and can more thoroughly and constructively participate in it. And they can more easily hold their elected leaders and other public officials accountable. I believe this principle can and should be applied to the judicial as well as the legislative and executive branches of government, while still respecting the unique role of the unelected federal judiciary.

Cameras in the courtroom is an idea whose time came some time ago. It is high time we brought it to the federal courts. I am proud to support the Grassley-Schumer bill, and I hope we can enact it this year.

Mr. SCHUMER. Mr. President, I am pleased to join Senator GRASSLEY in introducing this legislation to permit federal trials and appellate proceedings to be televised, at the discretion of the presiding judge.

Former Chief Justice Warren Burger once said of the U.S. Supreme Court, "A court which is final and unreviewable needs more careful scrutiny than any other. Unreviewable

power is the most likely to indulge itself and the least likely to engage in dispassionate self-analysis . . . In a country like ours, no public institution, or the people who operate it, can be above public debate."

I believe that these words are applicable to the entire federal judiciary. As such, I strongly support giving federal judges discretion to televise the proceedings over which they preside. When the people of this nation watch their government in action, they come to understand how our governing institutions work and equip themselves to hold those institutions accountable for their deeds. If there are flaws in our governing institutions—including our courts—we hide them only at our peril.

The federal courts are lagging behind the state courts on the issue of televising court proceedings. Indeed, 47 out of the 50 states allow cameras in their courtrooms in at least some cases. Moreover, a two-and-a-half year pilot program in which cameras were routinely permitted in six federal district courts and two courts of appeals revealed near universal support for cameras in the courtroom.

Our bill would simply afford federal trial and appellate judges discretion to permit cameras in their courtrooms. It would not require them to do so. Furthermore, to protect the privacy of non-party witnesses, the legislation would give such witnesses the right to have their voices and images obscured during their testimony.

I eagerly anticipate Senate passage and the day when openness is the norm in our federal courtrooms, not the exception.

By Mr. CAMPBELL:

S. 988. A bill to provide that countries receiving foreign assistance be conducive to United States business; to the Committee on Foreign Relations.

Mr. CAMPBELL. Mr. President, today I introduce the International Anti-Corruption Act of 2001. This legislation addresses the growing problem of official and unofficial corruption abroad. This bill is based on S. 1514, which I introduced in the 106th Congress.

Endemic corruption around the world negatively impacts both the United States and the citizens of countries where corruption is tolerated. Overseas corruption directly hurts U.S. businesses as they endeavor to expand internationally. U.S. workers are affected when corruption closes doors to our exports. In addition, the honest and hard working citizens of countries stricken with corruption suffer as they are compelled to pay bribes to officials and other people in positions of power just to get the permits and licenses they need to get things done. The trade barrier created by corruption also limits the purchasing choices available to these people. Finally, many leading U.S. companies that are eager to invest and build factories overseas to produce consumer goods for consumption in

those countries, often wisely choose not to do so because they are not willing to deal with the corruption they would encounter. Overall, honest and hard working people living all around the world suffer as productive output is unjustly harmed.

As the Chairman of the Commission on Security and Cooperation in Europe, known as the Helsinki Commission, I am working to address the problem of corruption. In the 106th Congress, I chaired a Commission hearing that focused on the issues of bribery and corruption in the region of the Organization for Security and Cooperation in Europe, an area stretching from Vancouver to Vladivostok. During this hearing, the Commission heard that, in economic terms, rampant corruption and organized crime in this vast region has cost U.S. businesses billions of dollars in lost contracts with direct implications for our economy.

In addition, two years ago while attending the annual session of the OSCE Parliamentary Assembly in St. Petersburg, Russia, I had an opportunity to sit down with U.S. business representatives and learned, first-hand, about the many obstacles they face.

Ironically, in some of the biggest recipients of U.S. foreign assistance—countries like Russia and Ukraine—the climate is either not conducive or outright hostile to American business.

The time has come to stop providing aid as usual to those countries which line up to receive our assistance, only to turn around and fleece U.S. businesses conducting legitimate operations in these countries. For this reason, I am introducing the International Anti-Corruption Act of 2001 to require the State Department to submit a report and the President to certify by March 1 of each year that countries which are receiving U.S. foreign aid are, in fact, conducive to American businesses and investors. If a country is found to be hostile to American businesses, aid from the United States would be cut off. The certification would be specifically based on whether a country is making progress in, and is committed to, economic reform aimed at eliminating corruption.

In fact, monitoring and measuring corruption, and the corresponding overall economic freedom, is nothing new. The Heritage Foundation regularly produces a comprehensive report entitled the "Index of Economic Freedom." This year's 2001 report ranks 155 countries on the basis of 10 criteria, including "government intervention, foreign investment and black market." While corruption is not identified individually in this report, you can bet there is a strong negative correlation between overall economic freedom and corruption. The more economic freedom you have, the less corruption you will have. It should be no surprise that the countries with the lowest levels of economic freedom are the very same countries that suffer from economic stagnation year after year. We owe it

to the good people trapped in corrupt political systems to do what we can to help root out and get rid of this corruption.

Under this bill, if the President certifies that a country's business climate is not conducive for U.S. businesses, that country will, in effect, be put on probation. The country would continue to receive U.S. foreign aid through that end of the fiscal year, but aid would be cut off on the first day of the next fiscal year unless the President certifies the country is making significant progress in implementing the specified economic indicators and is committed to recognizing the involvement of U.S. business.

My bill also includes the customary waiver authority where the national interests of the United States are at stake. For countries certified as hostile to or not conducive for U.S. business, aid can continue if the President determines it is in the national security interest of the United States. However, the determination expires after six months unless the President determines its continuation is important to our national security interest.

I also included a provision which would allow aid to continue to meet urgent humanitarian needs, including food, medicine, disaster and refugee relief, to support democratic political reform and rule of law activities, and to create private sector and non-governmental organizations that are independent of government control, or to develop a free market economic system.

Instead of jumping on the bandwagon to pump millions of additional American tax dollars into countries which are hostile to U.S. businesses and investors, we should be working to root out the kinds of bribery and corruption that have an overall chilling effect on much needed foreign investment. Left unchecked, such corruption will continue to undermine fledgling democracies worldwide and further impede moves toward a genuine free market economy. I believe the legislation I am introducing today is a critical step this direction, and I urge my colleagues to support its passage.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 988

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "International Anti-Corruption Act of 2001".

#### SEC. 2. LIMITATIONS ON FOREIGN ASSISTANCE.

##### (a) REPORT AND CERTIFICATION.—

(1) IN GENERAL.—Not later than March 1 of each year, the President shall submit to the appropriate committees a certification described in paragraph (2) and a report for each country that received foreign assistance under part I of the Foreign Assistance Act of 1961 during the fiscal year. The report shall

describe the extent to which each such country is making progress with respect to the following economic indicators:

(A) Implementation of comprehensive economic reform, based on market principles, private ownership, equitable treatment of foreign private investment, adoption of a legal and policy framework necessary for such reform, protection of intellectual property rights, and respect for contracts.

(B) Elimination of corrupt trade practices by private persons and government officials.

(C) Moving toward integration into the world economy.

(2) CERTIFICATION.—The certification described in this paragraph means a certification as to whether, based on the economic indicators described in subparagraphs (A) through (C) of paragraph (1), each country is—

(A) conducive to United States business;

(B) not conducive to United States business; or

(C) hostile to United States business.

(b) LIMITATIONS ON ASSISTANCE.—

(1) COUNTRIES HOSTILE TO UNITED STATES BUSINESS.—

(A) GENERAL LIMITATION.—Beginning on the date the certification described in subsection (a) is submitted—

(i) none of the funds made available for assistance under part I of the Foreign Assistance Act of 1961 (including unobligated balances of prior appropriations) may be made available for the government of a country that is certified as hostile to United States business pursuant to such subsection (a); and

(ii) the Secretary of the Treasury shall instruct the United States Executive Director of each multilateral development bank to vote against any loan or other utilization of the funds of such institution to or by any country with respect to which a certification described in clause (i) has been made.

(B) DURATION OF LIMITATIONS.—Except as provided in subsection (c), the limitations described in clauses (i) and (ii) of subparagraph (A) shall apply with respect to a country that is certified as hostile to United States business pursuant to subsection (a) until the President certifies to the appropriate committees that the country is making significant progress in implementing the economic indicators described in subsection (a)(1) and is no longer hostile to United States business.

(2) COUNTRIES NOT CONDUCTIVE TO UNITED STATES BUSINESS.—

(A) PROBATIONARY PERIOD.—A country that is certified as not conducive to United States business pursuant to subsection (a), shall be considered to be on probation beginning on the date of such certification.

(B) REQUIRED IMPROVEMENT.—Unless the President certifies to the appropriate committees that the country is making significant progress in implementing the economic indicators described in subsection (a) and is committed to being conducive to United States business, beginning on the first day of the fiscal year following the fiscal year in which a country is certified as not conducive to United States business pursuant to subsection (a)(2)—

(i) none of the funds made available for assistance under part I of the Foreign Assistance Act of 1961 (including unobligated balances of prior appropriations) may be made available for the government of such country; and

(ii) the Secretary of the Treasury shall instruct the United States Executive Director of each multilateral development bank to vote against any loan or other utilization of the funds of such institution to or by any country with respect to which a certification described in subparagraph (A) has been made.

(C) DURATION OF LIMITATIONS.—Except as provided in subsection (c), the limitations described in clauses (i) and (ii) of subparagraph (B) shall apply with respect to a country that is certified as not conducive to United States business pursuant to subsection (a) until the President certifies to the appropriate committees that the country is making significant progress in implementing the economic indicators described in subsection (a)(1) and is conducive to United States business.

(c) EXCEPTIONS.—

(1) NATIONAL SECURITY INTEREST.—Subsection (b) shall not apply with respect to a country described in subsection (b) (1) or (2) if the President determines with respect to such country that making such funds available is important to the national security interest of the United States. Any such determination shall cease to be effective 6 months after being made unless the President determines that its continuation is important to the national security interest of the United States.

(2) OTHER EXCEPTIONS.—Subsection (b) shall not apply with respect to—

(A) assistance to meet urgent humanitarian needs (including providing food, medicine, disaster, and refugee relief);

(B) democratic political reform and rule of law activities;

(C) the creation of private sector and non-governmental organizations that are independent of government control; and

(D) the development of a free market economic system.

#### SEC. 3. TOLL-FREE NUMBER.

The Secretary of Commerce shall make available a toll-free telephone number for reporting by members of the public and United States businesses on the progress that countries receiving foreign assistance are making in implementing the economic indicators described in section 2(a)(1). The information obtained from the toll-free telephone reporting shall be included in the report required by section 2(a).

#### SEC. 4. DEFINITIONS.

In this Act:

(1) APPROPRIATE COMMITTEES.—The term "appropriate committees" means the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate.

(2) MULTILATERAL DEVELOPMENT BANK.—The term "multilateral development bank" means the International Bank for Reconstruction and Development, the International Development Association, and the European Bank for Reconstruction and Development.

#### STATEMENTS ON SUBMITTED RESOLUTIONS

SENATE CONCURRENT RESOLUTION 45—EXPRESSING THE SENSE OF CONGRESS THAT THE HUMANE METHODS OF SLAUGHTER ACT OF 1958 SHOULD BE FULLY ENFORCED SO AS TO PREVENT NEEDLESS SUFFERING OF ANIMALS

Mr. FITZGERALD (for himself, Mr. LEAHY, and Mr. AKAKA) submitted the following concurrent resolution; which was referred to the Committee on Agriculture, Nutrition, and Forestry:

S. CON. RES. 45

Whereas public demand for passage of Public Law 85-765 (commonly known as the "Humane Methods of Slaughter Act of 1958") (7

U.S.C. 1901 et seq.) was so great that when President Eisenhower was asked at a press conference if he would sign the bill, he replied, "If I went by mail, I'd think no one was interested in anything but humane slaughter";

Whereas the Act requires that animals be rendered insensible to pain when they are slaughtered;

Whereas on April 10, 2001, a Washington Post front page article reported that enforcement records, interviews, videos, and worker affidavits describe repeated violations of the Act and that the Federal Government took no action against a company that was cited 22 times in 1998 for violations of the Act;

Whereas the article asserted that in 1998, the Secretary of Agriculture stopped tracking the number of humane-slaughter violations;

Whereas the article concluded that scientific evidence shows tangible economic benefits when animals are treated well;

Whereas the United States Animal Health Association passed a resolution at an October 1998 meeting to encourage strong enforcement of the Act and reiterated support for the resolution at a meeting in 2000; and

Whereas it is the responsibility of the Secretary of Agriculture to enforce the Act fully: Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring),*

#### SECTION 1. HUMANE METHODS OF ANIMAL SLAUGHTER.

It is the sense of Congress that—

(1) the Secretary of Agriculture should—

(A) resume tracking the number of violations of Public Law 85-765 (7 U.S.C. 1901 et seq.) and report the results and relevant trends annually to Congress; and

(B) fully enforce Public Law 85-765 by ensuring that humane methods in the slaughter of livestock—

(i) prevent needless suffering;

(ii) result in safer and better working conditions for persons engaged in the slaughtering of livestock;

(iii) bring about improvement of products and economies in slaughtering operations; and

(iv) produce other benefits for producers, processors, and consumers that tend to expedite an orderly flow of livestock and livestock products in interstate and foreign commerce; and

(2) it should be the policy of the United States that the slaughtering of livestock and the handling of livestock in connection with slaughter shall be carried out only by humane methods.

Mr. FITZGERALD. Mr. President, I rise today to submit a resolution expressing the sense of the Congress that the Humane Methods of Slaughter Act of 1958 should be fully enforced to prevent the needless suffering of animals.

On April 10, 2001, the Washington Post printed a front page story entitled "They Die Piece by Piece." This graphic article asserted that the United States Department of Agriculture was not appropriately enforcing the Humane Slaughter Act. In response, I am introducing this resolution that encourages the Secretary of Agriculture to fully enforce current law including the Humane Slaughter Act of 1958, as amended by the Federal Meat Inspection Act in 1978.

The Humane Slaughter Act simply requires that animals be rendered insensible to pain before they are harvested. However, apparently this law is

not being enforced in some instances. For example, the Washington Post article reported that "enforcement records, interviews, videos and worker affidavits describe repeated violations of the Humane Slaughter Act" and "the government took no action against a Texas beef company that was cited 22 times in 1998 for violations that include chopping hooves off live cattle."

While the regulated industry may argue that problems highlighted in this article are not endemic of the entire meat processing industry, "a couple of rotten apples could ruin the whole basket." As the Washington Post article demonstrated, there are some operations that may need oversight to ensure that the entire meat industry does not get a "black eye."

Additionally, the Washington Post article pointed out that in 1998, the USDA stopped tracking the number of humane slaughter violations. USDA's Director of Slaughter Operations reportedly admitted "she didn't know if the number of violations was up or down." This is simply unacceptable. We cannot manage nor regulate what we do not monitor nor measure. Thus, the resolution asks the Secretary of Agriculture to reinstate tracking of violations and report these results and relevant trends to Congress annually.

This legislation is supported by the Society for Animal Protective Legislation, the Humane Society of the United States, and the Humane Farming Association. The resolution is sound public policy that enjoys bipartisan support. I thank my colleagues, Senators LEAHY and AKAKA, for joining me as original co-sponsors of this bill, and I encourage my Senate colleagues to join us in this endeavor.

I ask unanimous consent that a letter of support from the Humane Society of the United States be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE HUMANE SOCIETY  
OF THE UNITED STATES,  
Washington, DC, May 22, 2001.

DEAR SENATOR: On behalf of the Humane Society of the United States, the nation's largest animal protection organization with 7 million members and constituents, I am writing to express our support for the resolution, soon to be introduced by Senator Peter Fitzgerald, calling on USDA to enforce the Humane Slaughter Act. We urge you to co-sponsor Senator Fitzgerald's resolution.

On April 10, 2001, the Washington Post printed a front-page story entitled "They Die Piece by Piece." The disturbing investigative article revealed that the USDA is not currently enforcing the Humane Slaughter Act and that the Department has stopped tracking humane-slaughter violations. To address these failings, Senator Fitzgerald is introducing a resolution encouraging the Secretary of Agriculture to fully enforce the law. The resolution calls for enforcement of the Humane Slaughter Act of 1958 and asks that the Department resume tracking humane-slaughter violations and report its findings to Congress annually.

The Washington Post reported that prior to ending the tracking of humane-slaughter

violations in 1998, USDA records gave us a snapshot of the extraordinarily inhumane slaughter practices occurring at processing plants. For example:

USDA took no action against a Texas beef company that was cited 22 times in one year for violations such as chopping hooves off live cattle.

Inspectors at a livestock processing plant in Hawaii describe hogs walking and squealing after being stunned (a process meant to render animals unconscious) as many as four times.

Another Texas plant had 22 violations in 6 months, including live cattle dangling from an overhead chain.

Hogs are submersed in scalding water after being stunned to loosen their hides for skinning. This means that poorly stunned animals are scalded and drowned. Videotape from an Iowa pork plant shows hogs squealing and kicking as they are being lowered into the water.

Congress passed the Humane Slaughter Act in 1957. It should be enforced vigorously—now 40 years after enactment. To cosponsor this resolution calling for the enforcement of existing law on humane slaughter, please contact Terry Van Doren of Senator Fitzgerald's office (4-2854) or for more information, please contact Susan Solarz of HSUS (202/955-3664).

Sincerely,

WAYNE PACELLE,  
Senior Vice President,  
Communications and Government Affairs.

#### AUTHORITY FOR COMMITTEES TO MEET

##### COMMITTEE ON ARMED SERVICES

Mr. GREGG. Mr. President, I ask unanimous consent that the committee on Armed Services be authorized to meet during the session of the Senate on Tuesday, June 5, 2001, at 9:30 a.m., in open session to consider the nominations of Mr. Douglas Jay Feith to be Under Secretary of Defense for Policy; Mr. Jack Dyer Crouch, II, to be Assistant Secretary of Defense for International Security Policy; and Mr. Peter W. Rodman, to be Assistant Secretary of Defense for International Security Affairs.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON FOREIGN RELATIONS

Mr. GREGG. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, June 5, 2001 at 10 a.m. to hold a hearing as follows:

##### ANNUAL REPORT ON THE U.S. COMMISSION ON RELIGIOUS FREEDOM WITNESSES

Dr. Firuz Kazemzadeh, Former Vice-Chairman, U.S. Commission on International Religious Freedom; and Senior Advisor, National Spiritual Assembly, Alta Loma, CA.

Ms. Nina Shea, Commissioner, U.S. Commission on International Religious Freedom; and Director of the Center for Religious Freedom, Freedom House, Washington, DC.

Mr. Michael Young, Commissioner, U.S. Commission on International Religious Freedom; and Dean, George Washington University School of Law, Washington, DC.

Rabbi David Saperstein, Former Commissioner, U.S. Commission on International Religious Freedom; Director, Religious Action Center of Reform Judaism, Washington, DC.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON EMERGING THREATS AND CAPABILITIES

Mr. GREGG. Mr. President, I ask unanimous consent that the Subcommittee on Emerging Threats and Capabilities of the Committee on Armed Services be authorized to meet during the session of the Senate on Tuesday, June 5, 2001, at 2:30 p.m., in open session to receive testimony on the "Leap Ahead" technologies and transformation initiatives within the Defense Science and Technology Program.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL CORRECTIONAL OFFICERS AND EMPLOYEES WEEK

Mr. FRIST. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. Res. 92 and that the Senate then proceed to its consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 92) to designate the week beginning June 3, 2001, as "National Correctional Officers and Employees Week".

There being no objection, the Senate proceeded to consider the resolution.

Mrs. FEINSTEIN. Mr. President, I am pleased the Senate will adopt this resolution to honor correctional officers and employees. The resolution reaffirms our support for the thousands of correctional officers and employees who work in the face of danger each day, while reforming hardened criminals. They deserve our respect and support.

Tragically, many correctional officers have been permanently injured and killed in the line of duty. Few of us can truly appreciate the perils faced daily by our correctional officers. There have been over 356 men and women who have died while on duty. This year, we honor Wilmot A. Burnett, Lee Dunn, Raymond Curtis, Michael Price, Allen Gamble, Peter Hillman, Jason Acton, Leon Egly, William Giacomo, Alvin Glenn, and Allen Myers, all of whom have been killed during the past year. I hope this resolution will prompt us to reflect on the contributions of these men and the more than 200,000 corrections professionals who help to maintain the safety of our communities.

America's correctional officers and employees' efforts go unnoticed too often. I am pleased to sponsor this resolution to establish June 3-10, 2001, as "Correctional Officers and Employees Week."

Mr. FRIST. Mr. President, I ask unanimous consent that the resolution and preamble be agreed to en bloc, the motion to reconsider be laid upon the table without intervening action or de-

bate, and that any statements relating to the resolution be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 92) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 92

Whereas the operation of correctional facilities represents a crucial component of our criminal justice system;

Whereas correctional personnel play a vital role in protecting the rights of the public to be safeguarded from criminal activity;

Whereas correctional personnel are responsible for the care, custody, and dignity of the human beings charged to their care; and

Whereas correctional personnel work under demanding circumstances and face danger in their daily work lives: Now, therefore, be it

*Resolved,*

SECTION 1. DESIGNATION OF NATIONAL CORRECTIONAL OFFICERS AND EMPLOYEES WEEK.

That the Senate—

(1) designates the week beginning June 3, 2001, as "National Correctional Officers and Employees Week"; and

(2) requests that the President issue a proclamation calling upon the people of the United States to observe the week with appropriate ceremonies and activities.

ORDERS FOR WEDNESDAY, JUNE 6, 2001

Mr. FRIST. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until the hour of 11 a.m. on Wednesday, June 6. I further ask unanimous consent that on Wednesday, immediately following the prayer, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. FRIST. Mr. President, for the information of all Senators, the Senate will convene at 11 a.m. and begin consideration of a few housekeeping resolutions which will allow for the transition of power. Following the transition, the Senate will resume consideration of the Wellstone amendment No. 465. Under the previous order, there will be up to 20 minutes of debate with the vote to occur at the expiration of that time. Therefore, Senators should expect a vote to occur at approximately 11:30 a.m. Following the vote, Senator COLLINS will be recognized to offer an amendment.

ADJOURNMENT UNTIL 11 A.M. TOMORROW

Mr. FRIST. Mr. President, if there is no further business to come before the Senate, I now ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 5:57 p.m., adjourned until Wednesday, June 6, 2001, at 11 a.m.

NOMINATIONS

Executive nominations received by the Senate June 5, 2001:

DEPARTMENT OF DEFENSE

DIANE K. MORALES, OF TEXAS, TO BE DEPUTY UNDER SECRETARY OF DEFENSE FOR LOGISTICS AND MATERIEL READINESS, VICE ROGER W. KALLOCK.

EXECUTIVE OFFICE OF THE PRESIDENT

MARK B. MCLELLAN, OF CALIFORNIA, TO BE A MEMBER OF THE COUNCIL OF ECONOMIC ADVISERS, VICE ROBERT Z. LAWRENCE.

DEPARTMENT OF ENERGY

VICKY A. BAILEY, OF INDIANA, TO BE AN ASSISTANT SECRETARY OF ENERGY (INTERNATIONAL AFFAIRS AND DOMESTIC POLICY), VICE DAVID L. GOLDFYNN, RESIGNED.

DEPARTMENT OF STATE

WILLIAM A. EATON, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE ASSISTANT SECRETARY OF STATE (ADMINISTRATION), VICE PATRICK FRANCIS KENNEDY.

MERCER REYNOLDS, OF OHIO, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO SWITZERLAND, AND TO SERVE CONCURRENTLY AND WITHOUT ADDITIONAL COMPENSATION AS AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE PRINCIPALITY OF LIECHTENSTEIN.

ALEXANDER R. VERSHBOW, OF THE DISTRICT OF COLUMBIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER MINISTER, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE RUSSIAN FEDERATION.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

JANET REHNQUIST, OF VIRGINIA, TO BE INSPECTOR GENERAL, DEPARTMENT OF HEALTH AND HUMAN SERVICES, VICE JUNE GIBBS BROWN, RESIGNED.

DEPARTMENT OF EDUCATION

REBECCA O. CAMPOVERDE, OF VIRGINIA, TO BE ASSISTANT SECRETARY FOR LEGISLATION AND CONGRESSIONAL AFFAIRS, DEPARTMENT OF EDUCATION, VICE SCOTT SNYDER FLEMING, RESIGNED.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

ROBERT S. MARTIN, OF TEXAS, TO BE DIRECTOR OF THE INSTITUTE OF MUSEUM AND LIBRARY SERVICES, VICE DIANE B. FRANKEL, RESIGNED.

DEPARTMENT OF JUSTICE

DEBORAH J. DANIELS, OF INDIANA, TO BE AN ASSISTANT ATTORNEY GENERAL, VICE LAURIE O. ROBINSON, RESIGNED.

RICHARD R. NEDELKOFF, OF TEXAS, TO BE DIRECTOR OF THE BUREAU OF JUSTICE ASSISTANCE, VICE NANCY E. GIST, RESIGNED.

EXECUTIVE OFFICE OF THE PRESIDENT

JOHN P. WALTERS, OF MICHIGAN, TO BE DIRECTOR OF NATIONAL DRUG CONTROL POLICY, VICE BARRY R. MCCAFFREY, RESIGNED.

IN THE ARMY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

*To be colonel*

GILL P BECK, 0000  
DANA P EYRE, 0000  
WILLIAM L GARRISON JR., 0000  
BRENT V HAMM, 0000  
ROBERT H HERRING JR., 0000  
MARY A JAMESON, 0000  
JAMIE E MARLOWE, 0000  
EDWIN R MARRERO, 0000  
DAVID S. MAYER, 0000  
CATHERINE D MOORE, 0000  
WILLIAM J MUSHRUSH, 0000  
MARY L MYERS, 0000  
CURTIS B PRINCE, 0000  
NEIL F ROGERS, 0000  
STEVEN W SCHULTZ, 0000  
MARGO D SHERIDAN, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY IN THE NURSE CORPS (AN), MEDICAL SERVICE CORPS (MS), MEDICAL SPECIALIST CORPS (SF), AND VETERINARY CORPS (VC), AND FOR REGULAR APPOINTMENT (IDENTIFIED BY AN ASTERISK(\*)) UNDER TITLE 10, U.S.C., SECTIONS 624, 531, AND 3064:

*To be lieutenant colonel*

CYNTHIA J ABBADINI, 0000 AN  
 DEBRA S ALANIZ, 0000 AN  
 GLADYS M ALEMAN, 0000 MS  
 JOHN G ALVAREZ, 0000 MS  
 SUSAN E ANDERSON, 0000 AN  
 NATHANIEL M APATOV, 0000 AN  
 JEFFREY S ASHLEY, 0000 AN  
 DACOSTA E BARROW, 0000 MS  
 JOSE A BETANCOURT, 0000 MS  
 BLANCO W BEVERLEY, 0000 MS  
 DAVID A BITTERMAN, 0000 MS  
 \*TERRELL W BLANCHARD, 0000 VC  
 JUDITH A BOCK, 0000 AN  
 JAMES W BOLES, 0000 VC  
 ELIZABETH A BOWIE, 0000 AN  
 \*STEPHEN V BOWLES, 0000 MS  
 PATRICIA A BRADLEY, 0000 MS  
 \*LORRAINE T BREEN, 0000 SP  
 MARILYN D BREW, 0000 MS  
 MITCHELL E BREW, 0000 MS  
 DENNIS C BROWN, 0000 MS  
 JAMES F BYRNE, 0000 AN  
 KYLE D CAMPBELL, 0000 MS  
 MARC L CAQUETTE, 0000 MS  
 VINCENT C CARNAZZA JR., 0000 MS  
 CHERYL E CARROLL, 0000 AN  
 \*CARL A CASTRO, 0000 MS  
 WILLIAM C CHAMBERS, 0000 MS  
 DANIEL V CHAPA JR., 0000 MS  
 CAROLYN R CHASE, 0000 AN  
 SCOTT W CHILDERS, 0000 MS  
 KELLIE A COLE, 0000 MS  
 JANE L COLLINS, 0000 AN  
 LAWRENCE B CONNELL, 0000 MS  
 MARCUS W CRONK, 0000 MS  
 ANDREA E CRUNKHORN, 0000 SP  
 ALAN D CUSHEN, 0000 MS  
 THERESA L CUTLER, 0000 MS  
 PAUL H DAKIN, 0000 VC  
 MUSTAPHA DEBBOUN, 0000 MS  
 FLAVIA D DIAZHAYS, 0000 AN  
 JOANN S DOLEMAN, 0000 AN  
 MARY J DOOLEYBERNARD, 0000 MS  
 \*FREDRICK G DUBOIS, 0000 MS  
 \*TIMOTHY M DUFFY, 0000 MS  
 \*RAYMOND F DUNTON, 0000 MS  
 EILEEN E DURBIN, 0000 AN  
 \*JOHN B EASTLAKE, 0000 MS  
 JOHN E EILAND, 0000 AN  
 GREGORY D EVANS, 0000 MS  
 TERRANCE J FLANAGAN, 0000 MS  
 RALPH A FRANCO JR., 0000 MS  
 \*JAMES M FUDGE, 0000 VC  
 JOHN M GAAL, 0000 MS  
 \*EDNA GARCIAPEÑA, 0000 MS  
 JUDITH A GRAHAM, 0000 AN  
 BRADLEY C GREGORY, 0000 AN  
 MICHAEL P GRIFFIN, 0000 MS  
 CYNTHIA L GRIFFTH, 0000 AN  
 PAUL D GUERRETTE, 0000 AN  
 TODD R GUSTAFSON, 0000 AN  
 JEFFREY A HAFFA, 0000 MS

HEATHER W HANSEN, 0000 AN  
 KAROLINE D HARVEY, 0000 SP  
 \*WILLIAM C HASEWINKLE, 0000 MS  
 PAMELA J HAVENS, 0000 AN  
 JOHN K HAWKINS, 0000 AN  
 \*DAVID J HILBER, 0000 MS  
 \*BRADFORD W HILDABRAND, 0000 VC  
 DANIEL E HOLLAND, 0000, VC  
 VINCENT B HOLMAN, 0000 MS  
 KENNETH R HORNE, 0000 MS  
 LELAND N HUDSON, 0000 AN  
 CHARLES R HUNTSINGER JR., 0000 MS  
 ANN A HUSSA, 0000 AN  
 DONALD H HUTSON, 0000 MS  
 MARCIA J IMDIEKE, 0000 AN  
 WOOLARD J JACKNEWITZ, 0000 AN  
 DAVID A JERABEK, 0000 SP  
 JEFFREY L JERDE, 0000 AN  
 KENNETH D JOHNSON, 0000 MS  
 MORGAN M JONES, 0000 AN  
 JIMMIE O KEENAN, 0000 AN  
 KAREN M KELLEY, 0000 MS  
 PEGGY J KHAN, 0000 AN  
 JEANNINE C. KOUZEL, 0000 AN  
 CHRISTINE KUBIAK, 0000 AN  
 \*RODERICK D KUWAMOTO JR., 0000 SP  
 BERTHONY LADOUCEUR JR., 0000 MS  
 JOAN T LANCASTER, 0000 AN  
 NACIAN A LARGOZA, 0000 MS  
 TERRY J LASOME, 0000 AN  
 LISA M LATENDRESSE, 0000 AN  
 CHRISTINE M LEECH, 0000 AN  
 KATHLEEN S LESTER, 0000 MS  
 DONNA M LUPHEN, 0000 AN  
 MYRNA H LYONS, 0000 AN  
 SAMUEL G MACK JR., 0000 MS  
 CAROLYN M MALONE, 0000 AN  
 GREGORY A MALVIN, 0000 MS  
 RODGER K MARTIN, 0000 MS  
 VAL J MARTIN, 0000 MS  
 ELIZABETH A MCGRAW, 0000 AN  
 BENTITA A MCLARIN, 0000 MS  
 ELIZABETH P MILLS, 0000 AN  
 VICKI L MORSE, 0000 MS  
 ROY E MULLIS, 0000 MS  
 ERNEST L NELON II, 0000 MS  
 \*BRIAN V NOLAND, 0000 VC  
 SALLI L O'DONNELL, 0000 MS  
 \*RICKY J OLSON, 0000 MS  
 KATHARINE M OPITZ, 0000 AN  
 DANIEL P ORRICO, 0000 MS  
 KRISTEN L PALASCHAK, 0000 AN  
 CHRISTINE N PARKER, 0000 SP  
 PRISCILLA PATTERSON, 0000 AN  
 \*BEVERLY D PATTON, 0000 SP  
 PHILLIP D PEMBERTON, 0000 MS  
 \*LIVIA I PEREZ, 0000 MS  
 CHRISTINE B PIRES, 0000 AN  
 \*PHELPS F POND JR., 0000 AN  
 GREGORY S PORTER, 0000 MS  
 GUILLERMO QUILES JR., 0000 MS  
 PEDRO J RAMONHERNANDEZ, 0000 AN  
 JOANN M RAMOSALARILLA, 0000 AN  
 SUSAN M RAYMOND, 0000 AN

RITZA REESE, 0000 AN  
 \*SHARON E REESE, 0000 AN  
 VICKIE L REIFF, 0000 AN  
 \*GORDON R ROBERTS, 0000 MS  
 \*MICHAEL A ROBERTSON, 0000 SP  
 JUDITH D ROBINSON, 0000 MS  
 LINDA C ROSS, 0000 MS  
 MICHAEL ROWBOTHAM, 0000 MS  
 \*GAYE R RUBLE, 0000 VC  
 JERALD W RUMPH, 0000 MS  
 DOUGLAS J RUTKOWSKI, 0000 AN  
 JEFFREY R RYAN, 0000 MS  
 MAUREEN L SCHAFER, 0000 AN  
 CHRISTINE F SCHILLER, 0000 AN  
 BRUCE A SCHONEBOOM, 0000 AN  
 DANIEL N SENGSTACKE, 0000 AN  
 WILLIAM L SHEPLER JR., 0000 MS  
 MICHAEL SILKA JR., 0000 AN  
 JOZY M SMARTH, 0000 AN  
 JOHN C SMITH, 0000 VC  
 KIMBERLY K SMITH, 0000 AN  
 MARC A SMITH, 0000 AN  
 MICKIE D SMITH, 0000 MS  
 ADORACION G SORIA, 0000 AN  
 SHIRLEY A SPIRK, 0000 AN  
 BARBARA A SPRINGER, 0000 SP  
 KETIH E STEELE, 0000 VC  
 NED STEPHENS JR., 0000 MS  
 SHARON L STEHLING, 0000 AN  
 DEBRA M STEWART, 0000 MS  
 CARLHEINZ W STOKES, 0000 MS  
 ALAN K STONE, 0000 MS  
 ANDREW A STOREY, 0000 MS  
 GUY S STRAWDER, 0000 MS  
 THOMAS G SUTTLIVE, 0000 SP  
 KIMBRELL S SWINDALL, 0000 MS  
 COLLEEN A TAKAHASHI, 0000 AN  
 PHILLIP B THORNTON, 0000 MS  
 NATHANIEL TODD, 0000 MS  
 JACK K TROWBRIDGE, 0000 MS  
 \*KELLY G VEST, 0000 VC  
 ROBERT L VOGELSANG III, 0000 VC  
 LEANNE M VONASEK, 0000 SP  
 KAREN J WAGNER, 0000 MS  
 STEPHEN C WALLACE, 0000 MS  
 JAMES T WALSH, 0000 MS  
 KALDON L WALTJEN, 0000 AN  
 HEIDI A WARRINGTON, 0000 AN  
 ALAN F WEIR, 0000 MS  
 DONNA S WHITTAKER, 0000 MS  
 IRENE E WILLIFORD, 0000 AN  
 THOMAS G WINTHROP, 0000 AN  
 \*THOMAS R YARBER, 0000 AN

## IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT  
 TO THE GRADE INDICATED IN THE UNITED STATES NAVY  
 UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant commander*

WILLIAM J. DIEHL, 0000